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THE GOVERNMENT OF NEBRASKA



ORAN R. BOWEN

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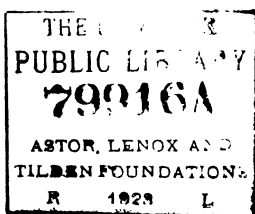
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PREFACE

The State Constitution has been materially changed. Since these changes went into effect in January 1921, there has been no text on Nebraska Government. There is great need for such a book. It is hoped that this brief text will meet this need.

The Author

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THE GOVERNMENT OF NEBRASKA

CHAPTER I

AN HISTORICAL SKETCH

IN 1803 a large tract of land west of the Mississippi was bought from France. This transaction is known as the Louisiana Purchase. Nebraska was a part of that purchase. Nebraska was organized into a territory in 1854 by an act introduced into congress by Senator Stephen A. Douglas of Illinois. This act is known as the Kansas-Nebraska Bill. This measure was of national interest since the question of slavery was raised. The Missouri Compromise of 1820 had admitted Missouri as a slave state, but had provided that all other Louisiana Purchase territory when ready for statehood, should be admitted as free states. It had, therefore, been decided as early as 1820 that Nebraska should have no slaves. But the Kansas-Nebraska Bill provided that the voters of Nebraska should decide. Thus the whole question was reopened.

The Bill also fixed the boundaries and provided for a form of territorial government.

After Nebraska had been a territory for about ten years, it applied for admission into the Union (1864). In the same year congress passed the Enabling Act, providing for its admission. But not until March 1, 1867 was the final act performed. On that date Nebraska was admitted as the thirty-seventh state.

The constitution which was made in 1866 was in force until 1875, when a new one was made. This second constitution was so amended by a constitutional convention which met in December 1919, that we may call our present constitution a third constitution. This third constitution was ratified by the

voters of the state in a special election held in September 1920, and went into effect January 1, 1921.

QUESTIONS

1. What is meant by the Louisiana Purchase?
2. When did Nebraska become a territory?
3. What is an Organic Act?
4. What was the Missouri Compromise?
5. What has it to do with Nebraska History?
6. How long was Nebraska a territory?
7. Explain "Squatter Sovereignty."
8. What is an Enabling Act?
9. When was Nebraska admitted into the Union?
10. When was the last Constitutional Convention held in Nebraska?

CHAPTER II

AN OUTLINE OF THE STATE CONSTITUTION.

THE constitution of the state consists of the Preamble and seventeen Articles.

The Preamble is merely the introduction to the constitution itself.

ARTICLE I is the Bill of Rights. There are twenty-seven sections in this Article, dealing with the rights of the individual.

ARTICLE II divides the state government into three departments: Legislative, Executive and Judicial.

ARTICLE III consists of twenty-eight sections. It gives the powers and duties of the Legislative Department, and outlines the qualifications, number, compensation, privileges, etc. of the members of this department.

ARTICLE IV consists of twenty-eight sections and concerns itself with the Executive Department.

ARTICLE V consists of twenty-six sections. It has to do with the Judicial Department.

ARTICLE VI defines a voter and specifies who may be entitled to exercise the right of suffrage.

ARTICLE VII has thirteen sections and its title is Education.

ARTICLE VIII deals with Revenue.

ARTICLE IX pertains to Counties.

ARTICLE X is entitled Public Service Corporations. It deals with railroads and other public utilities.

ARTICLE XI deals with Municipal Corporations, or cities.

ARTICLE XII is entitled Miscellaneous Corporations and has to do with the control and regulation of corporations.

ARTICLE XIII provides for ways and means of limiting and controlling state, county and municipal indebtedness.

ARTICLE XIV is entitled Militia and is as follows: "The Legislature shall determine what persons shall constitute the militia of the state, and may provide for organizing and disciplining the same."

ARTICLE XV deals with Miscellaneous Provisions. It gathers up in twelve sections various subjects which seem necessary yet which cannot be taken up in any other Article.

ARTICLE XVI gives the methods of amending the constitution.

ARTICLE XVII is the Schedule. It gives the plan for the transition, or change, from the old constitution to the new.

QUESTIONS

1. What is the preamble to a Constitution?
2. What is a Bill of Rights?
3. How many Articles in the state constitution?
4. When did the *new* constitution go into effect?
5. What is the schedule?

CHAPTER III

THE LEGISLATIVE DEPARTMENT

THE government of Nebraska is divided into three departments: legislative, executive and judicial. The legislative power rests in two houses, the Senate and the House of Representatives.

SENATE: The Senate is composed of thirty-three senators, one from each district. (See Appendix B for the county or counties in each senatorial district.)

HOUSE OF REPRESENTATIVES: The House of Representatives is composed of one hundred members, one from each district. (See Appendix C for the county or counties in each representative district.)

TERM OF OFFICE: Senators and Representatives are elected on the first Tuesday after the first Monday in November of even numbered years. They begin their term of office on the first Tuesday of January following and continue in office for two years.

QUALIFICATIONS: To be eligible for the office of senator or representative one must be a qualified voter and must have resided within the district from which he may be elected for at least one year next preceding his election, unless he shall have been absent on public business of the United States or of the state. He cannot hold his office if he moves from the district after his election. No United States officer is eligible nor is a person holding a salaried position under the state government, except that of a township officer, justice of the peace, notary public, or officer of the militia. No person holding a contract with the state, or having an unadjusted claim against the state is eligible.

ORGANIZATION: Each house convenes on the first Tuesday in January of odd numbered years, at twelve o'clock (noon) for the purpose of organizing. The Lieutenant-Governor calls the senate to order and presides. The secretary of state calls

the house of representatives to order and presides until a temporary organization is made. Each house elects its own officers. The senate elects a president *pro tempore*, who presides in the absence of the Lieutenant-Governor, a secretary, a sergeant-at-arms and other officers, such as chaplain, postmaster, clerks, pages, etc. The house of representatives elects a speaker, one of their number, a chief clerk and several assistant clerks, a sergeant-at-arms, and other officers similar to those selected by the senate. Each house makes its own rules. Each house decides as to the qualifications of its own members. A majority of the total membership of each house is a quorum. Each house keeps a journal of its proceedings. Two members may demand the "yeas" and "nays." If a vacancy occurs in either house a special election is held, unless the legislature be in session. In that case the Governor appoints a member.

PRIVILEGES OF MEMBERS: Senators and representatives cannot be arrested during a session of the legislature and during a period of fifteen days before and fifteen days after a session, except for treason, felony or breach of the peace. Neither house can adjourn for more than three days without the consent of the other.

HOW A BILL BECOMES A LAW: Any bill may originate in either house except bills appropriating money. These must originate in the house of representatives. A bill must proceed through the following order to become a law. It must be read by title when introduced and after a second reading referred to the appropriate committee. If it comes out of the committee, a printed copy is provided for each member. Before it is finally voted upon, it must be read in full in each house. It must be passed by a majority of the membership of each house. The "yeas" and "nays" must be entered on the final vote. The presiding officer of each house signs it in the presence of the membership of each house. It is then sent to the Governor. If he signs it, it becomes a law. If he objects to it, he returns it with his objections to the house in which it originated. That house proceeds to reconsider it and if three-fifths of the members agree to pass the bill it is sent to the other house. If, there, three-fifths of the members vote for the bill, it becomes a law without the Governor's approval.

If a bill is held by the Governor for a longer period than five days (Sunday excepted), it becomes a law in like manner as if he had signed it. Hence, if he disapproves of the bill, he must return it to the house where it originated, or to the secretary of state, if the legislature shall have adjourned. A failure to do this results in the bill's becoming a law.

A new law takes effect three calendar months after the adjournment of the session at which it was passed, unless it shall be passed with the *Emergency Clause*. In that event, it takes effect at once. To pass a bill with an Emergency Clause requires the votes of two-thirds of the members of each house.

INITIATIVE: Although the legislature is the law making body, laws may be passed by the people of Nebraska independently of the legislature. This is done in the following manner. Petitions containing the proposed law must be signed by at least seven per cent of the voters of the state. These petitions must be so distributed over the state that at least five per cent of the voters of each of two-fifths of the counties is included. The petitions are then filed with the secretary of state, who submits the proposed law on the ballots at the next general election. A majority of all the votes cast on the proposed law, providing it be not less than 35 per cent of the total number of votes cast at the election, is sufficient to pass the proposed law. A proclamation by the Governor within ten days after the official canvass of the vote is the last step. The foregoing is called the *initiative*.

REFERENDUM: Not only can the people pass laws independently of the legislature, but they can also make null and void any act passed by the legislature, except acts making appropriations for the expenses of state government or for the maintenance of state institutions. The process is as follows. A petition signed by not less than five per cent of the voters distributed over the state as required for the initiative, must be filed with the secretary of state, asking that a certain act passed by the legislature be referred to the people at the next general election. The petition must be presented to the secretary of state within 90 days after the adjournment of the legislature. If ten per cent of the voters sign the petition the act does not go into effect until this vote is taken by the people. The

foregoing process is called the *referendum*, because the act is *referred* to the people.

APPROPRIATIONS: No money can be drawn from the state treasury except that which has been specifically appropriated by law, and no appropriation can be made which is to extend over a period longer than two years after June 30, odd numbered years.

IMPEACHMENT: The Senate and House of Representatives in joint session have the sole power of impeachment, but a majority must concur. The State Supreme Court constitutes the court to try impeachment cases. If a supreme judge is impeached, the district judges of the state meet and compose the court to try the case. No person can be convicted without the concurrence of two-thirds of the members of the court.

SPECIAL LAWS: Section Eighteen, Article three of the state constitution gives a list of cases for which special laws cannot be passed. (See this Section.)

COMPENSATION OF MEMBERS: The constitution fixes the salary of the members of the senate and house of representatives at Eight Hundred Dollars for the regular session and Ten Dollars per day for not more than ten days for a special session. But not more than One Hundred Dollars can be paid to any member for any special session. Besides the compensation referred to above, members receive ten cents mileage, going to and returning from the session.

COMMITTEES: When the house of representatives organizes at the very beginning of the session, the different members are assigned to various committees. In the last house there were thirty committees. A few of the important committees are as follows: Judiciary, Finance, State Institutions, Agriculture, Railroads, Education, and Revenue and Taxation. As bills are introduced in the house by different members, they are referred to their appropriate committee. After a bill has been considered by the committee, it may be referred back to the house with the recommendation that it pass; or, if the committee takes unfavorable action, the bill is usually killed. So many bills are introduced at each session that it is impossible for the house to consider them all. By means of the work of the committee a great deal of the business is disposed of that would otherwise occupy the time of the whole house.

The committee system in the senate is practically the same as it is in the house.

LEGISLATIVE REFERENCE BUREAU: For several years the state has maintained a bureau to assist the members of the legislature in their work. The bureau furnishes information as to the proper form of a bill, assists in organizing the material in the bill, and provides such other information as may be desired.

QUESTIONS

1. How many departments of government in Nebraska? Name them.

2. Of what does the legislative department consist?

3. How many State senators are there?

4. How many senatorial districts are in the state?

5. What is the number of your district?

6. What county or counties are in your district?

7. Who is your state senator? To what party does he belong?

8. How many state representatives are there?

9. How many representative districts are in the state?

10. What is the number of your district?

11. What county or counties are in your district?

12. Who is your state representative? To what party does he belong?

13. When is a member of the legislature elected?

14. When does his term of office begin?

15. When does the legislature meet in regular session?

16. Give three qualifications necessary for a legislator.

17. Who presides over the house?

18. Who presides over the senate?

19. What is meant by a quorum? How many constitute a quorum in each house?

20. State three ways by which a bill may become a law.

21. What is an emergency clause?

22. Explain initiative.

23. Explain referendum.

24. What is impeachment?

25. What is the salary of a legislator?

CHAPTER IV

EXECUTIVE DEPARTMENT

THERE is needed a great number of officers in the executive department for the enforcement and execution of the laws. Some of these officers are elected. Others are appointed by the Governor. The elected officers are as follows: Governor, Lieutenant-Governor, Secretary of State, Auditor of Public Accounts, Commissioner of Public Lands and Buildings, Treasurer, Attorney-General, Superintendent of Public Instruction. Each holds office for two years, but the Superintendent of Public Instruction, beginning with 1923, has a term of four years. The election occurs the first Tuesday after the first Monday in November in even numbered years. The term of office begins on the first Thursday in January following. Each officer must give bond for the faithful performance of his duty.

GOVERNOR: The Governor is the chief executive of the state. His duty is to enforce the laws. He may call out the militia of the state to assist him if necessary, since he is commander-in-chief of all military and naval forces of the state. He may dismiss any officer whom he has appointed, for cause. Annual reports are made to him by the various state officers. He sends messages to the legislature, giving information concerning state matters and recommending the passage of certain laws. All bills passed by the state legislature are sent to him. He may sign them or veto them. If he signs them they become laws. If he vetoes them, unless they are passed again in both houses of the legislature by a three-fifths vote of all members, they are dead. He calls special elections to fill vacancies in the membership of the senate and the house of representatives. He also calls special elections to fill vacancies in the membership of the national House of Representatives. If a vacancy occurs in the membership of the legislature during the session, he appoints a member for the unexpired term. He also appoints a United States senator, if a vacancy occurs. He may call special

sessions of the legislature. If the two houses cannot agree upon a time to adjourn, the Governor may adjourn the legislature. He fills, by appointment, any vacancy which may occur in any elective state office, except that of Lieutenant-Governor. He may make a requisition upon the governor of another state for the return of a criminal who has escaped to that state. He may also issue extradition papers by means of which a person charged with an offense in another state and coming into Nebraska, may be returned to that state upon the request of the governor of that state.

Eligibility to the office of Governor or Lieutenant-Governor requires that one shall have been a resident and citizen of the state for five years next preceding his election, and a citizen of the United States. It also requires that he be at least thirty years of age.

The Governor's salary is \$7,500.00. The state also provides an executive mansion.

LIEUTENANT-GOVERNOR: The Lieutenant-Governor presides over the senate and in case of a tie he has a vote. If there is a vacancy in the office of Governor, he succeeds to that office. The order of succession after the Lieutenant-Governor is the President *Pro Tempore* of the Senate and after him the Speaker of the House of Representatives.

The Lieutenant-Governor's salary is twice that received by a senator.

SECRETARY OF STATE: The Secretary of State signs all proclamations and commissions sent out by the Governor. He keeps and uses the "Great Seal of The State of Nebraska" on all official documents. All laws and records of the state are in his keeping. He publishes the laws. He gives notice of elections. Returns from state and national elections in the state are sent to him and he prepares an abstract of the same to present to the legislature. On his report the results of elections are officially known. It is his duty to call the house of representatives to order at the opening of each new legislature and preside over it until a temporary organization has been effected. All corporations are required to file their articles with him. His salary is \$5,000.00 per year.

AUDITOR OF PUBLIC ACCOUNTS: This officer must have general oversight of public expenditures. It is his duty to prevent unlawful expenditure of state money. The treasurer has no authority to pay out any money except on the order of the Auditor. He checks up and audits the books of state institutions and for this purpose appoints one or more state accountants to assist him. His salary is \$5,000.00 per year.

COMMISSIONER OF PUBLIC LANDS AND BUILDINGS: It is the duty of this officer to be custodian of all state lands. He prepares leases and deeds for school lands and keeps the records of the sale or leasing of such lands. He has the records of the surveys of the state and has authority to appoint a surveyor. His salary is \$5,000.00 per year.

TREASURER: The State Treasurer, as the name indicates, receives and is responsible for all money belonging to the state. Most of this comes from the county treasurers, it being the state tax collected by them. The State Treasurer is prohibited by law from paying out any money unless it has been appropriated by the legislature. He deposits the money in banks throughout the state. The state receives interest from these banks. He is not eligible for more than two consecutive terms. Like all other executive officers he must give bond for the faithful performance of his duties. The amount of his bond, however, cannot be less than \$600,000.00. It must be an amount not less than double the amount of the funds which may come into his hands. The exact amount is fixed by the Governor. The treasurer's salary is \$5,000.00 per year.

THE ATTORNEY-GENERAL is the legal adviser of the state. He interprets the law for the other state officers and advises them in their official duties. He is counsel for the state in cases in court in which the state is a party.

SUPERINTENDENT OF PUBLIC INSTRUCTION: (See the chapter on Education.)

RAILWAY COMMISSION: By the new state constitution the railway commissioners are classified under the executive department. They, however, have certain judicial and legislative powers. This commission is made up of three members, elected by the voters of the state for a term of six years. It

regulates rates and exercises general control over railways, express companies, telephone companies, telegraph companies, etc. within the state. It investigates and decides upon complaints brought before it. It has the power to compel attendance of witnesses in investigations.

The salary of each commissioner is \$5,000.00 per year.

TAX COMMISSIONER: The constitution also provides for a tax commissioner. He is appointed by the Governor with the advice and consent of the senate. He has jurisdiction over the administration of the state revenue laws and assists the state board of equalization, of which he is a member and secretary, in the assessment of the property in the state. His term is two years. His salary is \$5,000.00.

THE BOARD OF CONTROL is a board of three members appointed by the governor and confirmed by at least two-thirds of the senate. Its function is to have general control over and management of all state institutions except the University of Nebraska and the State Normal Schools. The term of the members is six years and the salary is \$4,000.00 per year.

BOARD OF PARDONS: Section 13, Article IV of the constitution provides for a Board of Pardons consisting of the Governor, Attorney-General, and Secretary of State, of which board the Governor is chairman. This board or a majority of the board, has power to remit fines and to grant commutations, pardons, and paroles.

ADMINISTRATIVE DEPARTMENT: The legislation which provides for this plan is called the administrative code. The Governor has six secretaries who serve in almost the same relation to him as the cabinet officers do to the president of the United States. Each of these secretaries has a department under his control and has as many assistants as may be deemed necessary to carry on the work of his department. Each of the six secretaries receives a salary of \$5,000.00 per year. The departments are as follows:

I. **THE DEPARTMENT OF FINANCE** has general charge of state accounts and budget of expenses, and the purchase of supplies.

II. **THE DEPARTMENT OF AGRICULTURE** directs

the inspection of foods, drugs and oils; maintains a bureau of animal industry; publishes statistics relative to crops and all other farm production; has control over and is responsible for the enforcement of all laws for the protection of fish and game.

III. THE DEPARTMENT OF LABOR fosters the welfare of the wage earner by improving working conditions, collecting information, administering and enforcing workmen's compensation laws and child labor laws.

IV. THE DEPARTMENT OF TRADE AND COMMERCE collects and compiles information regarding manufacturing industries and commerce within the state; reports upon the production of the industries of the state; and has control over examination of banks and insurance companies.

V. THE DEPARTMENT OF PUBLIC WELFARE has charge of matters relating to public health, sanitation and the enforcement of quarantine laws; maintains the bureau for the examination of doctors, nurses, pharmacists, embalmers and veterinarians; and supervises charities, correction and parole.

VI. THE DEPARTMENT OF PUBLIC WORKS exercises power over and control of road and bridge construction; oversees irrigation, water power and drainage; supervises the construction of state buildings; and issues licenses for motor vehicles.

QUESTIONS

1. What eight executive officers are elected?
2. When are they elected? Term of each?
3. Who are the present executive officers?
4. To what political party does each belong?
5. If a vacancy should occur in any of these offices how would it be filled?
6. Give four duties of the governor.
7. What are three qualifications necessary for the governor?
8. Give the salary of each executive officer.
9. What is the railway commission? Its duties? The salary of each member? Term?
10. What are the duties of the tax commissioner?
11. How is he selected?

12. How many members on the board of control? Its duties?
13. What officers constitute the board of pardons?
14. What is meant by the Administrative code?
15. Name the departments.

CHAPTER V

THE JUDICIAL DEPARTMENT

“THE judicial power of the state shall be vested in a supreme court, district court, county court, justice of the peace and such other courts inferior to the supreme court as may be created by law.” So reads Section I, Article V of the state constitution. To the courts named above, the legislature has added juvenile courts and municipal courts.

THE SUPREME COURT consists of seven members, a chief justice, elected by the state at large, and six judges each elected by the voters of his district. The districts correspond to the six congressional districts of the state. The term of office is six years. The chief justice was elected in 1920 and his term will expire in 1927. “In the year 1922 and each six years thereafter, there shall be elected by the electors of each of the three even numbered districts one judge of the supreme court.” (Constitution). They are to take their offices in January, 1923. In 1924 and each six years thereafter one judge is to be elected from each of the odd numbered districts. They take their offices in January, 1925. This court is required by the constitution to meet at least twice each year. The court has original and appellate jurisdiction. To be eligible to the office of supreme judge one must be at least thirty years of age, a citizen of the United States and must have resided in the state for three years. A judge must be a resident and elector of the districts from which he is elected. The salary is \$7,500.00 per year.

A clerk, a reporter and such other help as may be needed are appointed by the court.

DISTRICT COURT: The State is divided into eighteen judicial districts. (See Appendix D for the county or counties in each judicial district.) Each district has at least one judge. Several have more than one each. In all there are thirty-four judges. The district court has jurisdiction over criminal cases

and over certain civil cases. The judges are elected by the voters of their respective districts for a term of four years. Each district judge appoints a reporter, who accompanies him and takes in shorthand the testimony of the witnesses and such other evidence as is considered necessary as a matter of record.

A session of the district court is held at the county seat at such times as the judge may determine.

The salary of a district judge is \$5,000.00 per year and traveling expenses.

COUNTY COURT: (See chapter on Counties).

JUSTICE OF THE PEACE COURT: (See chapter on Townships).

JUVENILE COURT: This court is presided over by a district judge or in the absence of a district judge, by the county judge. Into this court are brought juvenile offenders.

MUNICIPAL COURT: The judges of the municipal courts (Omaha), and the police judges, have jurisdiction over certain cases arising within cities.

PETIT JURY: In the Bill of Rights, the state constitution guarantees to every accused person the right of trial by jury. A jury in the district court is composed of twelve persons whose names are selected by lot from a list of names prepared by the county board.

The jury hears the testimony of the witnesses and the argument of the attorneys on both sides of the case. It then retires to the jury room to decide upon the facts. In a criminal case, that is in a case in which some one is accused of a criminal offense, the verdict of the jury is "Guilty" or "Not Guilty." If the verdict is "Guilty" the judge pronounces the sentence upon the prisoner. In a civil case, the jury tries to arrive at a proper adjustment of the difficulties between the two parties in the suit, and renders its verdict accordingly. In certain civil suits five-sixths of the jury may decide. In criminal suits the decision must be unanimous. If no agreement can be reached, the jury is discharged and a new trial must be held.

GRAND JURY: The grand jury is also selected by lot. It consists of sixteen persons. Its duty is to investigate and

report its findings to the judge. If it finds evidence of guilt, it renders an indictment against an individual. The person against whom an indictment is found, must stand trial in the district court. A grand jury is rarely called in Nebraska.

QUESTIONS

1. How many members are on the Supreme Court in Nebraska?
2. What is the salary of each member?
3. How long is the term?
4. How many district judges in Nebraska?
5. What is the salary of a district judge?
6. What is the number of your district?
7. What county or counties in your district?
8. Name the judge or judges in your district.
9. What is a petit jury?
10. What is a grand jury?

CHAPTER VI

COUNTIES

THERE are ninety-three counties in Nebraska. They are not of uniform size. Cherry county is the largest. It contains 5,979 square miles. Sarpy is the smallest. It contains 240 square miles. Each county maintains a local government. It has its own courthouse, located at the county seat, in which the county officers transact the business of the county. The county, however, is not independent of the state. In fact, it is the business of the county officials to see that the state laws are enforced.

COUNTY OFFICERS: The officers of the county are: County Commissioners (or Supervisors), Treasurer, Clerk, Sheriff, Judge, Superintendent of Public Instruction, Assessor, Attorney, Surveyor, Clerk of the District Court, and in a few counties, Register of Deeds. The officers serve for four years. They are elected in even numbered years in the November election, most of them being elected in the years between the presidential years. Each is required to give bond for the faithful performance of his duties. The salary of each depends upon the amount of business transacted and upon the population of the county.

COUNTY COMMISSIONERS (or SUPERVISORS): The County Board is made up either of three or five commissioners or of seven supervisors, depending upon the choice of the voters of the county. (York County has twenty supervisors.) Whether the county board is made up of commissioners or supervisors, it performs practically the same functions. The county board has charge of the county property, provides for the expenditure of the county funds and makes contracts for the construction of bridges and roads. It has, in fact, general supervision and control of all the business of the county. If vacancies occur in the county offices, the county board fills such vacancies by appointments. If a vacancy occurs in the

county board, it is filled by appointment by the county clerk, treasurer and judge.

TREASURER: The county treasurer, as the name implies, collects and has in his keeping the county funds. All county and state taxes in the county are paid to him by the taxpayers. He issues receipts for the same. No county money can be paid out by him except upon order of the county board. Twice each year, in January and in July, he is required by law to issue a public statement of the condition of the treasury. He cannot serve longer than two consecutive terms.

CLERK: The county clerk is the clerk of the county board and he keeps the records of the proceedings of the board. He signs orders upon the county treasurer for all bills allowed by the board. He prepares the list of the taxpayers for the use of the county treasurer, has general charge of all elections, county, state and national, and performs various other duties. In counties having a population less than 16,000, the county clerk serves as register of deeds. In counties having a population less than 8,000, he serves as clerk of the district court.

SHERIFF: The sheriff is sometimes called the executive officer of the county. He serves warrants for arrests, subpoenas witnesses and summons jurors. He also serves as the peace officer of the county. He has custody of all prisoners in the county jail.

JUDGE: The county judge has two chief duties. He acts as the judge in certain civil and criminal suits, and holds preliminary trials in criminal cases which may be referred by him to the district court if he deems the evidence against the accused to be sufficient. If the accused desires he may have a jury. A jury in the county court consists of six persons. The second duty of the county judge is to settle estates for deceased persons. All property of the deceased must be checked over by him and all claims against the estate must be paid before the division is made to the heirs. If there be a will, an executor, usually appointed by the person making the will, assists the judge in carrying out the provisions of the will. If there be no will, the judge appoints an administrator to assist in making all settlements.

The judge issues marriage licenses, and has the legal authority to perform marriage ceremonies.

SUPERINTENDENT OF PUBLIC INSTRUCTION: This officer is usually called the county superintendent. He has general control over the rural and village schools of the county. It is his duty to visit the schools of the county, giving advice and direction to the teachers, consult teachers and school boards with reference to the securing of regular attendance of the children, give decisions to the school boards on questions of school law, conduct examinations for teachers' certificates, make an annual report to the state superintendent regarding the number of children of school age (five to twenty-one), regarding the number of teachers, and regarding the amount of money expended for school purposes, and perform such other duties as shall be necessary for the best interests of the schools of the county.

At this time, over half of the county superintendents in the state are women.

ASSESSOR: It is the duty of the county assessor to find out the value of the property owned by each person. He is assisted by township assessors. In some counties, the county clerk is the assessor.

ATTORNEY: The county attorney is sometimes called the prosecuting attorney. He acts as the attorney for the county in all cases in which the county is a party to the suit. If a state law is broken, he is the attorney for the state and appears in court against the offender. He also acts as the legal adviser for all the other county officers.

SURVEYOR: As the name implies, the county surveyor surveys lines in which the county may be interested. This pertains particularly to the laying out of roads and settling disputes as to section lines.

CLERK OF THE DISTRICT COURT: This officer keeps the record of the district court, administers oaths and takes acknowledgments. He also keeps the records of all persons applying for and securing naturalization papers. The county clerk performs these duties in counties having a population less than 8,000.

REGISTER OF DEEDS: When land is transferred a record must be kept of the transaction. The one buying the land receives a deed or written document giving a description of the land and giving the price paid. In order to make the transfer legal this deed must be recorded. The county clerk performs this service in all counties in the state except in counties having a population over 16,000. In such counties there is a special county officer whose duty it is to make this record. He is called the Register of Deeds.

Each county has a county highway commissioner and a county physician, both of whom are appointed by the county board.

BOARDS: Besides the county board there are other boards as follows:

BOARD OF EQUALIZATION: The board of equalization consists of the county commissioners (or supervisors), the county clerk, and the county assessor, acting as a board to settle disputes relative to taxation. It equalizes the taxes paid by the tax payers of the county.

CANVASSING BOARD: The canvassing board consists of the county clerk and two others (each of a different political party from the other) whom he may choose to assist him. This board tabulates the figures after an election and makes an abstract of the same.

BOARD OF INSANITY: The board of insanity examines all persons against whom complaints are made relative to their sanity, sending those whom it considers insane to the state asylum. It consists of three members: the district clerk, a physician, and a lawyer. The last two are appointed by the district judge.

BOARD OF HEALTH: The board of health looks after the general health of the county, seeing to it that proper quarantine is maintained in cases of contagious diseases. It consists of three members: the sheriff, superintendent, and a physician appointed by the county board.

SOLDIERS' RELIEF COMMISSION: The soldiers' relief commission looks after ex-soldiers who may need financial aid. A special tax levy is made for this purpose. This board consists of three members appointed by the County Board.

QUESTIONS

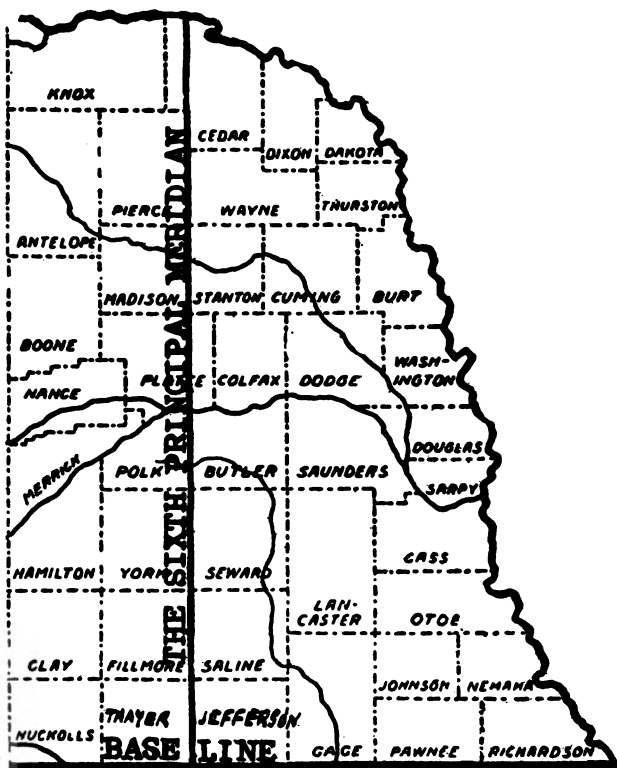
1. How many counties in Nebraska?
2. Which is the largest? Which is the smallest?
3. What is the size of your county?
4. Do you have Commissioners or Supervisors?
5. Name the county officers in your county.
6. Name four duties of the county board.
7. Give the duties of the board of equalization.
8. Name the members of the board of health in your county.
9. Is there a register of deeds in your county?
10. Is there a clerk of the district court in your county?

CHAPTER VII

TOWNSHIPS

THERE are two kinds of townships in Nebraska: 1. The congressional township; 2. The political township, or precinct.

CONGRESSIONAL TOWNSHIP: A congressional township is a tract of land six miles square. When Nebraska and



Kansas were surveyed an arbitrary line for the convenience of the surveyors, was run north and south through both states, on longitude $97^{\circ} 22'$ west of Greenwich. This line is called the Sixth Principal Meridian. The line runs between Pierce county and Wayne county; Madison and Stanton; Polk and

6	5	4	3	2	1		
7	8	9	10	11	12		
18	17	16	15	14	13		T.2
19	20	21	22	23	24		
30	29	28	27	26	25		
31	32	33	34	35	36		T.1
R.3.W.						R.2.W.	R.1.W.

BASE LINE

THE SIXTH PRINCIPAL MERIDIAN

is Range 1 East. The second strip, six miles wide, is Range 2 East; and so on to the eastern boundary of the state. The last strip in the state is Range 18 East.

Not only is the land in the state cut into strips six miles wide, by lines running north and south, as just explained; but it is also cut into strips six miles wide by lines running east and west. When Nebraska was surveyed, the Fortieth Parallel of Latitude was used by the surveyors. This is the boundary line between Nebraska and Kansas. It is called the Base Line. The first strip of land, six miles wide, lying on the north side of this line, is Township 1. The second strip is Township 2; and so on to the northern boundary of the state. The last strip in the state is Township 35.

A square tract of land formed by the crossing of the six mile strips is a congressional township. This square tract of land is divided into thirty-six sections. For example, Township 2, Range 3 West is found to be in Thayer County. The full description of 160 acres of land, a quarter section, marked (X) would be the Northeast quarter of Section 15, Township 2, Range 3 West of the Sixth Principal Meridian. This is abbreviated as follows: N. E. $\frac{1}{4}$, Sec. 15, T. 2, R. 3, W. This may also be written N. E. $\frac{1}{4}$, 15-2-3, W.

POLITICAL TOWNSHIP, OR PRECINCT: A political township or precinct is a division of the county composing a voting unit. It also has its own local officers to execute the state laws and to enforce the regulations of the county board. Township officers are an assessor, a road overseer for each road district in the precinct, one justice of the peace, one constable.

If the county has the supervisor system, there are two other officers, township clerk and township treasurer.

A county under the supervisor system is said to have township organization. In such counties an annual town or township meeting is held in each township. There is also a town board made up of the treasurer, clerk and justice of the peace.

QUESTIONS

1. What is a congressional township?
2. What is a precinct?

3. In what range is your school house? Township? Section?

4. What is the number of your commissioner (or supervisor) district?

5. Draw a map of your county showing commissioner (or supervisor) districts.

6. Who is the member of the county board from your district?

7. Who are the township officers in your township?

8. In what county is N. E. $\frac{1}{4}$, 18-6-7, E.?

9. How many acres in N. W. $\frac{1}{4}$ of S. E. $\frac{1}{4}$, 16-8-24, W.?

10. Give the description of a farm in Hamilton County.

CHAPTER VIII

CITIES AND VILLAGES

THE city is not only a self-governing body but is also an agent for the administration of the laws of the central government of the state. All municipalities have other general powers, the most important of which are to preserve peace; to protect property; to prevent injury or annoyance by offensive nuisance; to preserve the public morals by the prevention of gambling and the destruction of all gambling devices; to maintain police and fire departments; to provide for a system of waterworks for public purposes; to lay out, establish, maintain, and repair streets, alleys, and public grounds and buildings of all kinds; and to provide punishment for the violation of any city ordinance." (Fess: Civics of Ohio).

CLASSIFICATION: In Nebraska cities and villages are classified as follows:

Metropolitan Cities.

Cities of the First Class.

Cities of the Second Class.

Villages.

A metropolitan city is one having a population of 100,000 or more. Omaha is the only metropolitan city in the state. A city of the first class has a population of 40,000-100,000. This applies to Lincoln. A city of the first class is also one with a population of 5,000-25,000. A city of the second class is one with a population of 1,000-5,000. Villages are towns with a population of 100-1,500. A town with a population of 1,000-1,500 may be either a village, or a city of the second class.

FORMS OF GOVERNMENT: The state law provides for (a) the commission form of government, (b) government by a city council, or (c) the city manager plan. Villages are governed by a board of trustees.

THE COMMISSION FORM OF GOVERNMENT: The law provides that any city with a population of 5,000 or over,

may have the commission form of government. Omaha and Lincoln both have adopted this form of government. Omaha has seven commissioners. The present Omaha commissioners were elected in May, 1921 for a term of three years. Each commissioner is at the head of a department and has a special work to do. The head of a department is called a superintendent. Each superintendent is responsible for the manner in which the affairs in his department are managed. The salary is \$4,500. The mayor receives \$5,000. The work is divided as follows:

1. Department of Public Affairs.
2. Department of Accounts and Finance.
3. Department of Police, Sanitation, and Public Safety.
4. Department of Fire Protection and Water Supply.
5. Department of Street Cleaning and Maintenance.
6. Department of Public Improvements.
7. Department of Parks and Public Property.

Lincoln has five commissioners. The salary is \$2,000. The mayor receives \$2,500. The work is divided as follows:

1. Department of Public Affairs.
2. Department of Accounts and Finance.
3. Department of Public Safety.
4. Department of Streets and Public Improvements.
5. Department of Parks and Public Property.

Any other city with a population of 5,000 or more, if it adopts this form of government, has only three commissioners and the following departments:

1. Department of Public Affairs and Public Safety.
2. Department of Accounts and Finance.
3. Department of Streets, Public Improvements and Public Property.

In cities governed under this plan, the commissioners constitute the city council. The mayor is one of the commissioners being elected as mayor by the commissioners themselves. He presides over the council but does not have the veto power. By virtue of his being selected as mayor, he has charge of the Department of Public Affairs. The other departments are divided among the other members by the action of the commissioners themselves. The council passes ordinances, selects officials, and has general management of city affairs.

GOVERNMENT BY A CITY COUNCIL: Nearly all the cities of the state are governed by a council and mayor. The mayor is elected by the whole city. He is the chief officer of the city. He presides over the council. He is usually held responsible for the city government. Cities are divided into wards. Two councilmen are elected from each ward. The council makes the laws of the city. These laws are called ordinances. The ordinances pertain to streets, parks, police, lighting, sewerage and other matters which make for the welfare and happiness of the inhabitants. It is the duty of the mayor to enforce the ordinances. Besides the mayor and the council there are a city clerk, a treasurer, an attorney, a water commissioner, a chief of police, and other officers, depending upon the size of the city. The mayor, councilmen and other city officers receive salaries, the amount depending upon the population of the city.

THE CITY MANAGER PLAN: Any city having a population of 1,000 or more, may be governed by a city manager if a majority of the voters of the city desire. Twenty per cent of the voters may petition to have a special election called for the purpose of voting on the proposition of a change to the city manager plan. If this plan is adopted a city manager is elected by the city council. The council under this plan is elected and organized under a different system from that used in other cities. The man selected as city manager really has the management and control over the city. He appoints such helpers as may be needed to assist him in his work.

VILLAGES ARE GOVERNED by a board consisting of five members, elected by the voters. This village board passes regulations for the government of the village and appoints the necessary officers, a clerk, a treasurer, an attorney, a marshal, etc. The trustees serve without pay. The appointed officers receive a small salary.

QUESTIONS

1. How are cities and villages classified in Nebraska?
2. Name the different forms of city government in the state.
3. Which form is the most common?
4. Explain each form.
5. How are villages governed?

CHAPTER IX

PRIMARIES AND ELECTIONS

QUALIFICATION OF VOTERS: The law of Nebraska defines voters as follows: "Every person of the age of twenty-one years and upwards shall be an elector and shall have the right to vote for all officers to be elected to public office, and upon all questions and propositions submitted to the voters at any and all elections authorized or provided by laws of Nebraska." The law further provides that to be eligible to vote, one must have been a resident of the state for at least six months, of the county for at least forty days, of the precinct or ward for at least ten days, and one must be a citizen of the United States. Any one who is *non compos mentis*, or who has committed treason or a felony, unless restored to civil rights, cannot vote.

THE BALLOT: All voting is by Australian Ballot. This system provides for a secret ballot. The names of the candidates are printed on the ballots. Upon entering the room where the election is held the voter is given one ballot. He takes it into a booth and marks an [X] after the name of the candidate of his choice for each office. He then folds the ballot so that the names of the judges, which are written on the back, show. This is to prove that the ballot is genuine and is the same one which was taken with him into the booth. As the ballot is dropped into the ballot box, the voter's name is called and is recorded by two clerks in the poll books. In this manner a complete list of the names of all voters is obtained.

Before the election, blank ballots are sent to the various voting places in each county by the county clerk. He keeps an accurate account of the number sent. A board known as the election board receives the ballots. This board consists of three judges and two clerks. In precincts in which there are more than fifty voters, three additional judges and two additional clerks are appointed. The clerk of the district court appoints the members of the election boards. Every ballot received by the election

board of each precinct must be accounted for to the county clerk. The number of ballots in the box as shown by the poll books together with those spoiled and those unused must correspond to the number received by the election board. By this method there can be no "stuffing of the ballot box."

THE PRIMARY: Each political party nominates its candidates for the various offices by means of the primary. This is really an election carried on within the party. The candidates receiving the highest vote for the various offices are declared the nominees of the party. The Australian ballot is used and the method of voting is the same as at the general election, except that the voter must ask for the ticket of his political party. The primary thus conducted is called the *closed primary*. The open primary is one in which the candidates of all parties are on the same ballot. This permits the voters of one political party to help the other party select its candidates. It has been tried out in Nebraska and found to be unsatisfactory. By the closed primary, each party selects its own nominees without interference from the other.

The primary is held in Nebraska on the third Tuesday of July of even numbered years, except in presidential years, when it is held on the third Tuesday of April.

THE ELECTION: The general election in the state is held on the first Tuesday after the first Monday in November of even numbered years. On this day the nominees of the primary are voted upon. The nominees of all parties have their names on the same ballot. Great care is taken to prevent fraud and illegal voting.

THE NON-POLITICAL BALLOT: There has been a movement on foot for several years to remove a few of the offices from the influence of party politics. The idea has found expression in what is known as the non-political ticket. Candidates for judges and superintendents of public instruction whether for state or county offices are voted for on this ballot; also candidates for regents of the State University. At the time of the primaries and also the general election a separate ballot called the *non-political-ballot* is given to each voter in addition to the regular ballot. The two candidates for each

office receiving the highest vote in the primaries are considered the nominees to be voted upon at the general election.

QUESTIONS

1. Give the qualifications of a voter in Nebraska.
2. Explain the Australian Ballot system of voting.
3. Which county officer has charge of primaries and elections?

4. What is the purpose of the primary?

5. Does Nebraska have the *closed* or *open* primary?
Explain.

6. When is the primary held?
7. When is election in Nebraska?
8. What is meant by the non-political ballot?
9. What is the election board?
10. Is it the *duty* of every qualified voter to vote?

CHAPTER X

EDUCATION

THE state constitution and the state laws make provision for the education of the people of Nebraska. Section 6, Article VII of the constitution reads, "The Legislature shall provide for the free instruction in the common schools of the state of all persons between the ages of five and twenty-one years." In Section 10 of the same Article, the government of the University is provided for; and in section 13 provision is made for the management and control of State Normal Schools.

SUPERVISION: The public schools are under the supervision of the state superintendent. It is his duty to decide on questions of school law, apportion the state school funds, make an annual report to the Governor on the educational conditions in the state, oversee the examinations for teachers' certificates, and perform such other duties as naturally devolve upon the educational leader of the state.

Each county has a superintendent who has immediate control of the schools of the county, under the general direction of the state superintendent. City schools are in certain respects independent of the supervision of the county superintendent. Each city has a city superintendent.

SCHOOL DISTRICTS: Every county is divided into school districts. For the school year ending in July, 1921 there were 7,035 districts in the state. A district contains at least four sections. Each district is a unit for educational purposes. It is a corporation and can, therefore, make contracts, sue and be sued. The affairs of the district are in the hands of a board, the members of which are elected by the voters of the district.

The common school district is the rural or village school district. The school board consists of three members: the director, the moderator, and the treasurer, one elected each year for a term of three years. They are elected at the annual school district meeting held the second Monday in June.

Other matters disposed of at the annual meeting are: deciding the expense for the next school year, selling school property, fixing the length of the term of school unless otherwise provided by law, etc.

If there be one hundred fifty or more children of school age (between the ages of five and twenty-one) a *high school district* may be formed, and the number of the members of the school board is changed from three to six. The members of the board may be elected at an annual meeting or if an incorporated village be within the district they are elected at the time of the regular village election. In a *city district* the board consists of six members, elected at the regular city election. There is no annual school meeting. The school board has the entire management of the affairs of the district. The board meets on the first Monday of each month and at such other times as may be deemed necessary.

The *Omaha* and *Lincoln* schools have special legislation for their regulation and control.

A *consolidated school district* is formed by the uniting of two or more districts. A *rural high school district* is formed by the uniting of two or more districts for high school purposes only, the original districts retaining their common school.

County high schools: In the western portion of the state, in counties where no twelfth grade school existed, county high schools have been established. These schools are usually at the county seats. Each county high school is under the control of a board of regents consisting of five members, three of whom are elected by the members of the school boards of the various districts of the county. The other two are the county treasurer and the county superintendent.

VOTERS: Any citizen may vote upon all school questions brought up at an annual or special school meeting, or for any candidate for membership on any school board, who (1) has resided in the district forty days, (2) and is twenty-one years of age, (3) and who has had property assessed in his or her name, or has children of school age residing within the district.

SCHOOL FUNDS: The annual report of the state superintendent of public instruction shows that for the school year

ending in July, 1921 there was expended on the schools of the state the sum of \$25,253,518.17. This money was paid out for teachers' wages, buildings and grounds, repairs, fuel, library books, text books and supplies, furniture, etc.

The greater part of the money used for the support of the public schools is raised by direct taxation on the property within the school districts. Another source of revenue for the schools is the income from the state school fund. The state school fund is largely made up of the proceeds derived from the sale and leasing of the state school lands (sections 16 and 36 in every township). A semi-annual distribution is made of the interest on this fund. Each district in the state receives a portion of this income, the amount depending mainly upon the number of children of school age residing within the district. For purposes of the distribution of this apportionment a school census is taken each year in each district. The amount distributed annually in the state is about \$900,000.00. If in any district the money raised by taxation, together with the money received from the state apportionment, is not sufficient to maintain the school for the time required by law, the state provides additional funds. The last legislature appropriated \$100,000.00 for the biennium for the aid of these weak districts. No state aid is given to any district unless the need is certified to by the county superintendent of the county in which the district is located.

TEACHERS: No one is permitted to teach in Nebraska in any public school unless he has a certificate. A certificate may be secured in one of two ways; (1) by examination and (2) by completing a certain course in one of the schools.

The state has made provision for the training of teachers. (1) In the school year ending in July, 1921, 220 high schools of the state offered courses in normal training. Three thousand nine hundred sixty-one young people were enrolled for this work. High schools which offer normal training receive state aid. (2) The four state normal schools are organized primarily for the purpose of training teachers. Several courses are offered on the completion of one of which a certificate is issued. The following Certificates, Diplomas and Degrees are issued:

“1. The Regular Normal School Diploma.

This diploma is recognized by law as a first grade state certificate.

2. Bachelor of Arts Degree.

3. Professional Life State Certificate.

4. The General Elementary State Certificate.

5. The Elementary Rural State Certificate.

6. The Advanced Rural State Certificate.

7. A special teacher's certificate is granted by the State Superintendent in any one of the following departments, when the student has majored or earned 16 college hours credit in that department: Manual Training, Domestic Science, Public School Music, Public School Drawing. The student must also have met all the requirements for completion of the advanced or two-year college course.”

(Rules for issuance of Certificates, Diplomas, Degrees by State Normal Schools, revised and re-adopted by the State Board of Education, August, 1920.)

(3) The University of Nebraska maintains a Teachers College. Certificates and diplomas are issued on the completion of certain required work. (4) Other colleges and universities in the state offering courses of instruction approved by the state superintendent of public instruction, are permitted to issue certificates.

COMPULSORY ATTENDANCE at public, private or parochial schools is required of every child not less than seven or more than sixteen years of age. In rural schools six months attendance is required; in city schools the entire time in which the school is in session. If a child has graduated from a high school or is mentally or physically incapacitated, or lives more than three miles from the school, or is fourteen years of age and his services are needed for the support of the family, he may be exempt.

A penalty is imposed upon parents or guardians if this law is violated.

FREE HIGH SCHOOL privileges are given to every young person in the state. If there is no high school in his district, and he has completed the first eight grades, the district in which he lives pays his tuition in a high school. He must, however,

make his request to attend high school known in a proper, legal way, so that his district may make provision for the extra expense. The legal tuition fee which a high school may collect for tuition is three dollars per week for each pupil.

THE ENGLISH LANGUAGE must be used in all common schools in the state. Section 27, Article I of the state constitution reads as follows: "The English language is hereby declared to be the official language of this state; and all official proceedings, records and publications shall be in such language, and the common school branches shall be taught in said language in public, private, denominational and parochial schools."

NEBRASKA SCHOOL STATISTICS

For the School Year Ending July, 1921

Counties.....	93
School Districts.....	7,035
Schoolhouses.....	7,763
Teachers employed:	
Males.....	1,205
Females.....	12,953
Average monthly salary:	
Males.....	\$180.38
Females.....	113.15

EXPENDITURES

Teachers' wages:	
Males.....	\$ 1,844,980.08
Females.....	12,215,721.34
Buildings and Sites.....	\$14,060,701.42
Repairs.....	2,202,150.04
Fuel.....	703,762.69
Library Books.....	939,216.81
Text Books and Supplies.....	70,945.22
Furniture.....	1,005,756.68
For all other purposes.....	323,692.67
	5,947,292.64
Total Expenditures.....	\$25,253,518.17

Amount in hands of district treasurers.....	\$5,918,481.64
Value of School district property.....	\$28,251,278.96
Total school indebtedness.....	\$23,414,711.16
Children of school age (5-21).....	400,358
Total enrollment.....	314,894
Average daily attendance.....	239,734
Cost of education per pupil on enrollment....	\$80.02
Cost of education per pupil on daily attendance.....	\$105.34
Graded schools (including all ward schools) ..	972
Teachers in graded schools.....	7,420
Enrollment in graded schools.....	199,201
Teachers in rural schools.....	6,738
Enrollment in rural schools.....	115,693
High schools accredited to University of Nebraska.....	391
Enrollment in high schools.....	45,976
Graduates from accredited high schools.....	6,313
Normal training high schools drawing money 1920-21.....	145
Students in normal training high schools 1920-21.....	3,961
High schools offering normal training 1920-21	220
Smith-Hughes schools:	
Agriculture.....	31
Home Economics.....	79

—*Nebraska Educational Directory, 1921-1922*

QUESTIONS

1. Who is at the head of the common school system in the state?
2. Who is at the head of the common school system in the county?
3. How many school districts in your county?
4. What is the number of your district?
5. Draw a map of your district.
6. Name the members of the school board in your district.

7. What amount of money is being used this year to maintain the school in your district?

8. What amount has been received from the state apportionment for your district this year?

9. What is the tax levy for schools in your district?

10. How does the levy compare with other districts in the county? (See a tax receipt.)

11. How many children of school age are in your district?

12. Are any parents in your district violating the compulsory education law?

13. Who may vote on school questions?

CHAPTER XI

STATE INSTITUTIONS

THE UNIVERSITY OF NEBRASKA is located at Lincoln. It is controlled by a board of regents, each member being elected for a term of six years. One regent is elected from each district. The districts are the same as the present congressional districts. (See Appendix E.) Every two years two members of the board are elected. They serve without any compensation. Actual expenses arising from their attendance upon the meetings of the board, are paid by the state. The board of regents also manages the following:

The Medical College, Omaha.

The Agricultural School, Curtis.

The Experimental Station, North Platte.

The Experimental Station, Valentine.

The Experimental Station, Scottsbluff.

THE FOUR STATE NORMAL SCHOOLS AND TEACHERS COLLEGES are located at Peru, Kearney, Wayne and Chadron. They are under the management of the State Board of Education for Normal Schools. This board consists of seven members, six of whom are appointed by the Governor for a term of six years, and the state superintendent of public instruction who is a member *ex officio*. It elects the presidents and teachers of the four state normal schools, provides for the expenditure of the funds appropriated by the state legislature for the maintaining of the schools, and has general control over the institutions. The course of study and the departments of instruction are the same for all the schools.

The members of this board serve without pay. The actual expenses of the members are paid. The secretary receives a salary.

The following institutions are under the management of the State Board of Control:

Asylum for the Insane, Hastings.

Hospital for Insane, Lincoln.

Hospital for Insane, Norfolk.
School for the Blind, Nebraska City.
School for the Deaf, Omaha.
Institute for the Feeble Minded, Beatrice.
Industrial School for Girls, Geneva.
Industrial School for Boys, Kearney.
Women's Industrial Home, Milford.
Orthopedic Hospital, Lincoln.
Soldiers' and Sailors' Home, Grand Island.
Soldiers' and Sailors' Home, Milford.
State Penitentiary, Lincoln.
Tuberculosis Hospital, Kearney.
Home for Dependent Children, Lincoln.
Women's Reformatory, York.
Reformatory, Lincoln.

QUESTIONS

1. What board controls the University of Nebraska?
2. How many members on this board?
3. How are they selected?
4. Does this board control any other institutions?
5. How many state normal schools are in Nebraska?
6. Locate them.
7. How are they managed?
8. Are all the normal schools of equal rank?
9. What is the State Board of Control?
10. Locate ten state institutions under its management.

CHAPTER XII

REVENUE AND TAXATION

A GREAT deal of money is needed to keep up the expenses of the state, counties, townships, road districts, school districts, towns and cities. Salaries must be paid the officers. Buildings, such as universities, school houses, courthouses, asylums, jails, etc., must be constructed and equipped. The funds raised for these purposes are raised by *taxation*.

DIFFERENT KINDS OF TAXES: Every property owner pays taxes on his property. There are two kinds of taxes: (1) real estate tax, paid on real estate and (2) personal tax, paid on personal property. In cities there are special taxes, e.g., paving tax, sewer tax, etc. A franchise tax is paid by companies for certain privileges. An inheritance tax is also paid in Nebraska, as is also a poll tax. Owners of automobiles pay a special tax.

EXEMPTIONS: Public buildings, public land, public libraries, colleges, church property, Y. M. C. A. property, and charitable institutions, are not taxed.

ASSESSING TAXES: An assessor is selected in each township, whose duty it is to find out the value of the property owned by each individual. His most difficult task is to find the value of personal property (farm implements, cattle, furniture, jewelry, books, money, etc.). It is rather easy for the owners to deceive him by not reporting all. We often hear the expression: "The honest man pays the tax." Real estate values are more easily determined as real estate cannot be concealed.

The township assessor makes his report to the county assessor. He in turn makes a report to the county clerk. The county board of equalization then meets, giving any one an opportunity to be heard if he thinks his assessment is too high. No assessment in any county is final until the state board of equalization acts. This board is made up of the Governor, treasurer, auditor, secretary of state, and tax commissioner.

After receiving the report from the state board of equalization, the county board makes the levy certified to by the county clerk, for the county, townships, cities, school districts, and road districts. Certain cities of the state are authorized to levy and collect their own taxes.

A CONCRETE EXAMPLE: The levies for the 1921 tax in Wayne, Wayne county are as follows:

State Levy.....	3.30 Mills
County Levy.....	3.50 Mills
Wayne (City).....	21.50 Mills
Wayne School District.....	13.52 Mills

Total.....41.82 Mills

Any one who lives in the city of Wayne who owns property worth \$1,000.00 (after deducting \$200.00 household goods), pays \$41.82 property tax. In addition to this tax each man, under fifty years of age, unless he be exempt, pays a poll tax of \$2.50. The total tax, therefore, would be \$44.32, if poll tax is paid.

COLLECTION OF TAXES: The county clerk delivers the completed tax list to the county treasurer. He collects the taxes and distributes to the state, county, townships, school districts, road districts, and cities their respective shares. Personal taxes become delinquent December 1, of the same year in which the assessment is made. Real estate taxes become delinquent May 1, of the next year. After taxes become delinquent, ten per cent interest must be paid. If an individual refuses to pay his tax, the treasurer may cause his property to be sold, retaining enough of the proceeds of the sale to pay the tax, the interest and the expense of the sale.

(For distribution of taxes for the year 1920 see Appendix K.)

QUESTIONS

1. What is property tax?
2. What are the two kinds of property tax?
3. Name three other kinds of state tax.
4. What property is exempt from taxation?

5. What are the assessor's duties?
6. What is meant by the county board of equalization?
7. Who are the members of the board?
8. Who are the members of the state board of equalization?
9. What is the levy for different purposes in your town or precinct? (See a tax receipt.)
10. What is a poll tax?
11. Who is exempt from paying poll tax?
12. To what officer are taxes paid?
13. When are personal taxes to be paid?
14. When are real estate taxes to be paid?
15. Is there a penalty attached if taxes are not paid on time?

CHAPTER XIII

MISCELLANEOUS

CORPORATIONS: Three Articles in the constitution deal with corporations. Article X is entitled Public Service Corporations. It concerns itself mainly with railroads, and states rather definitely certain rules for their control and regulation. Article XI is entitled Municipal Corporations. It lays down certain fundamentals for the government of cities, making provision for the granting of city charters. Article XII deals with Miscellaneous Corporations, making them subject to legislative enactments. Section I reads as follows:

Sec. 1. The Legislature shall provide by general law for the organization, regulation, supervision and general control of all corporations, and for the organization, supervision and general control of mutual and co-operative companies and associations, and by such legislation shall insure the mutuality and co-operative features and functions thereof. Foreign corporations transacting or seeking to transact business in this state shall be subject, under general law, to regulation, supervision and general control, and shall not be given greater rights or privileges than are given domestic corporations of a similar character. No corporations shall be created by special law, nor their charters be extended, changed or amended, except those corporations organized for charitable, educational, penal or reformatory purposes, which are to be and remain under the patronage and control of the state. All general laws passed pursuant to this section may be altered from time to time, or repealed.

(Read the other sections of Article XII.)

OATH OF OFFICE

Sec. 1. Executive and judicial officers and members of the Legislature, before they enter upon their official duties, shall take and subscribe the following oath, or affirmation: "I do

solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Nebraska, and will faithfully discharge the duties of..... according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence (for any vote I may give or withhold on any bill, resolution, or appropriation)." Any such officer or member of the Legislature who shall refuse to take the oath herein prescribed, shall forfeit his office, and any person who shall be convicted of having sworn falsely to, or of violating his said oath shall forfeit his office, and thereafter be disqualified from holding any office of profit or trust in this state unless he shall have been restored to civil rights.

(Article XV, Section I Constitution)

STATE LIBRARY: "The constitution of 1875 provided that 'There shall be appointed by the supreme court a reporter, who shall also act as clerk of the supreme court, and librarian of the law and miscellaneous library of the state, whose salary shall be fixed by law, not to exceed \$1,500 per annum.' A constitutional amendment effective January 1, 1921, provided that the clerk of the supreme court shall also be state librarian with a salary to be fixed by law.

The number of volumes in the library November 30, 1920, was 79,047. The library is now chiefly a law library, means and space for development of the miscellaneous library being lacking."

(Nebraska Blue Book 1920 page 203)

CAPITOL COMMISSION: The legislature in 1919 provided for the building of a new state capitol in Lincoln. The approximate cost is to be five million dollars. The plan is to have a part of this amount appropriated each biennium. Over three million dollars have already been appropriated. A Capitol Commission consisting of five men one of whom is the Governor,

has authority to employ an architect and let the contracts for the construction of the building.

THE BUDGET: Under the budget system the expenses of the different departments of state government are estimated before the meeting of the legislature, and submitted to the Governor. He compiles, organizes and may change the total estimated expense, and submits his recommendations to the legislature. Appropriations are then made. The budget system is a new plan in Nebraska. Its purpose is to prevent waste and extravagance which often result by the passing of independent appropriation bills.

EX-OFFICIO STATE BOARDS: Certain state executive officers are ex-officio members of several state boards. The name of the board suggests its duties. A few important ones are as follows:

- Board of Educational Lands and Funds.
- Board of Examiners of Public Accountants.
- Depository Bonds Board.
- Board of Equalization and Assessment.
- Board of Canvassers.
- Board of Pardons.
- Vocational Education Board.

MILITIA: The Governor is the commander-in-chief of all military forces of the state. He appoints an Adjutant General who has direct control. At the present time there are about fifteen companies of Nebraska National Guards subject to his orders. The Federal Government furnishes complete equipment, costing about \$18,000.00 for each company.

The Adjutant General's salary is \$4,000.00 per year.

HOW THE CONSTITUTION MAY BE AMENDED :
It may become necessary at times because of changing conditions, to change the constitution. These changes are brought about by amendments. The constitution provides three methods for its amendment.

- (1) By the initiative. (See Article III, Sections 2 and 4.)
- (2) By three-fifths of the members of the legislature proposing the amendment, after which the proposed amendment must be published once each week for four weeks in each county

and then voted upon by the voters of the state. (See Article XVI.)

(3) By three-fifths of the members of the legislature, calling a constitutional convention, the members of which are to be elected by the voters of the state. After the convention has met and adopted certain amendments, the proposed amendments are then voted upon by the voters of the state. (See Article XVI.)

In each of the three methods, the people, through their vote, have the final decision to render on a proposed amendment.

QUESTIONS

1. What is a Corporation?
2. What is a Public Service Corporation?
3. What is a Municipal Corporation?
4. What control does the state have over corporations?
5. Why is it necessary that an officer take an oath of office before entering upon his duties?
6. Where is the state library located?
7. Can any one secure books from this library?
8. How much is the new state capitol to cost?
9. Who has charge of its construction?
10. What is meant by the budget system?
11. Name and give the duties of five state boards made up of the state officers.
12. What officer has direct control of the state militia?
13. Name three methods by which the constitution may be amended.
14. Which method has been used last?
15. Do the people have the final vote on proposed amendments?

CHAPTER XIV

NATIONAL RELATIONS

IN this chapter a few of the more important relations existing between Nebraska and the Nation will be pointed out.

SELECTION OF PRESIDENT AND VICE-PRESIDENT:

In the primary election, in the presidential year, two Republican and two Democratic delegates, to the national convention, are selected from each of the six congressional districts, in Nebraska. Each party also selects, in the primary, four delegates from the state at large. This makes a total of sixteen Republican delegates, and sixteen Democratic delegates.

Each of the two parties has approximately one thousand delegates in its national convention. The national conventions select candidates for president and vice-president and adopt party platforms. The conventions are held in June or July.

In the general election in November following the conventions, the voters of Nebraska express by ballot their preference for the candidates. If the Democratic candidate for president receives a majority, the Governor of the state appoints eight Democrats to serve as presidential electors; if the Republican candidate receives a majority, the Governor appoints eight Republican electors. The number of presidential electors in each state is the same as the number of congressmen. In some states presidential electors are elected at the November election.

The Nebraska electors meet in Lincoln on the second Monday in January and cast their votes for president and vice-president. This is a mere matter of form. One copy of the vote is sent by mail, another by messenger—one of the electors—to the President of the United States Senate. A third copy is kept in Lincoln. The President of the Senate opens the ballots before a joint session of the United States Senate and House of Representatives, on the second Wednesday in February, and the eight votes from Nebraska are announced. The votes of the

other states are likewise announced. Thus Nebraska aids in the election of the President and Vice-President.

THE CONGRESS: Nebraska has two United States Senators and six members of the national House of Representatives. (See Appendix E for the counties in each congressional district). These eight congressmen although representing the *state* are *national* officers and also represent the nation. They are elected by the voters of the *state*; but they aid in making *national* laws.

THE JUDICIARY: The United States is divided into nine judicial circuits. One of the United States Supreme Judges has control over each circuit. Justice Van Devanter has the eighth circuit. Nebraska with several other states is in this circuit. The eighth circuit has five circuit judges.

The United States District Court is a lower court than the circuit court. Nebraska has two United States District Judges.

If a national law is violated, the offender is taken into one of the federal courts just mentioned. The case may be important enough so that it may finally by appeal reach the United States Supreme Court.

The federal government has a marshal and an attorney for Nebraska. All federal judges, marshals, and attorneys are appointed by the President with the consent of the senate.

MILITARY POWER: In the late war we were all brought face to face with the fact that the federal government has the power to require the enlistment of every man of military age. The draft system was put into successful operation.

OTHER RELATIONS: The Interstate Commerce Commission is operative in Nebraska. The Federal income tax reaches our citizens. We receive federal aid for our roads. The Smith-Hughes Law makes provision for national financial aid in the vocational education of our young people. The postal laws are made to benefit our citizens. National banking laws assist in our business enterprises.

QUESTIONS

1. How many delegates does Nebraska have in the national conventions of the two great parties?

2. How many delegates altogether in a national convention?
3. Where was the last National Republican Convention held? The Democratic Convention?
4. How many presidential electors has Nebraska?
5. How is the number determined?
6. When do they vote?
7. When and where is their vote announced?
8. Name the United States senators from Nebraska.
9. Name the members of the National House of Representatives from Nebraska.
10. Who are the United States district judges in Nebraska?
11. Is every man of military age in Nebraska subject to military duty?
12. What is the Interstate Commerce Commission?

APPENDICES

APPENDIX A
CONSTITUTION OF THE STATE OF NEBRASKA
OF 1875,
AND SUBSEQUENT AMENDMENTS AS AMENDED
BY THE CONSTITUTIONAL CONVENTION
OF 1919-20

PREAMBLE. We, the people, grateful to Almighty God for our freedom, do ordain and establish the following declaration of rights and frame of government, as the Constitution of the State of Nebraska.

ARTICLE I—BILL OF RIGHTS

Section 1. All persons are by nature free and independent, and have certain inherent and inalienable rights; among these are life, liberty and the pursuit of happiness. To secure these rights, and the protection of property, governments are instituted among people, deriving their just powers from the consent of the governed.

Sec. 2. There shall be neither slavery nor involuntary servitude in this state, otherwise than for punishment of crime, whereof the party shall have been duly convicted.

Sec. 3. No person shall be deprived of life, liberty, or property, without due process of law.

Sec. 4. All persons have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences. No person shall be compelled to attend, erect or support any place of worship against his consent, and no preference shall be given by law to any religious society, nor shall any interference with the rights of conscience be permitted. No religious test shall be required as a qualification for office, nor shall any person be incompetent to be a witness on account of his religious belief; but nothing herein shall be construed to dispense with oaths and affirmations. Religion, morality, and knowledge, however, being essential to good government, it shall be the duty of the Legislature to pass suitable laws to protect every religious denomination in the peaceable enjoyment of its own mode of public worship, and to encourage schools and the means of instruction.

Sec. 5. Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that liberty, and in all trials for libel, both civil and criminal, the truth when published with good motives, and for justifiable ends, shall be a sufficient defense.

Sec. 6. The right of trial by jury shall remain inviolate, but the Legislature may authorize trial by a jury of a less number than twelve in courts inferior

to the District Court, and may by general law authorize a verdict in civil cases in any court by not less than five-sixths of the jury.

Sec. 7. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or thing to be seized.

Sec. 8. The privilege of the writ of habeas corpus shall not be suspended, unless in case of rebellion or invasion, the public safety requires it, and then only in such manner as shall be prescribed by law.

Sec. 9. All persons shall be bailable by sufficient sureties, except for treason and murder, where the proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

Sec. 10. No person shall be held to answer for a criminal offense, except in cases in which the punishment is by fine, or imprisonment otherwise than in the penitentiary, in case of impeachment, and in cases arising in the army and navy, or in the militia when in actual service in time of war or public danger, unless on a presentment or indictment of a grand jury; *Provided*, That the Legislature may, by law, provide for holding persons to answer for criminal offenses on information of a public prosecutor; and may, by law, abolish, limit, change, amend, or otherwise regulate the grand jury system.

Sec. 11. In all criminal prosecutions the accused shall have the right to appear and defend in person or by counsel, to demand the nature and cause of accusation, and to have a copy thereof; to meet the witnesses against him face to face, to have process to compel the attendance of witnesses in his behalf; and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

Sec. 12. No person shall be compelled, in any criminal case, to give evidence against himself, or be twice put in jeopardy for the same offense.

Sec. 13. All courts shall be open, and every person, for any injury done him in his lands, goods, person, or reputation, shall have a remedy by due course of law, and justice administered without denial or delay.

Sec. 14. Treason against the state shall consist only in levying war against the state, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Sec. 15. All penalties shall be proportioned to the nature of the offense, and no conviction shall work corruption of blood or forfeiture of estate; nor shall any person be transported out of the state for any offense committed within the state.

Sec. 16. No bill of attainder, *ex post facto law*, or law impairing the obligation of contracts, or making any irrevocable grant of special privileges or immunities shall be passed.

Sec. 17. The military shall be in strict subordination to the civil power.

Sec. 18. No soldier shall in time of peace be quartered in any house without

the consent of the owner; nor in time of war except in the manner prescribed by law.

Sec. 19. The right of the people peaceably to assemble to consult for the common good and to petition the government, or any department thereof, shall never be abridged.

Sec. 20. No person shall be imprisoned for debt in any civil action or mesne or final process, unless in cases of fraud.

Sec. 21. The property of no person shall be taken or damaged for public use without just compensation therefor.

Sec. 22. All elections shall be free; and there shall be no hindrance or impediment to the right of a qualified voter to exercise the elective franchise.

Sec. 23. The writ of error shall be a writ of right in all cases of felony; and in capital cases shall operate as a supersedeas to stay the execution of the sentence of death, until the further order of the Supreme Court in the premises.

Sec. 24. The right to be heard in all civil cases in the court of last resort, by appeal, error, or otherwise, shall not be denied.

Sec. 25. There shall be no discrimination between citizens of the United States in respect to the acquisition, ownership, possession, enjoyment, or descent of property.

The right of aliens in respect to the acquisition, enjoyment and descent of property may be regulated by law.

Sec. 26. This enumeration of rights shall not be construed to impair or deny others, retained by the people, and all powers not herein delegated, remain with the people.

Sec. 27. The English language is hereby declared to be the official language of this state, and all official proceedings, records and publications shall be in such language, and the common school branches shall be taught in said language in public, private, denominational and parochial schools.

ARTICLE II—DISTRIBUTION OF POWERS

Section 1. The powers of the government of this state are divided into three distinct departments, the Legislative, Executive and Judicial; and no person or collection of persons being one of these departments shall exercise any power properly belonging to either of the others except as hereinafter expressly directed or permitted.

ARTICLE III—LEGISLATIVE

Section 1. The legislative authority of the state shall be vested in a Legislature consisting of a Senate and House of Representatives, but the people reserve to themselves power to propose laws and amendments to the Constitution, and to enact or reject the same at the polls independent of the Legislature, and also reserve power at their own option to approve or reject at the polls any act, item, section, or part of any act passed by the Legislature.

Sec. 2. The first power reserved by the people is the initiative whereby laws

may be enacted and constitutional amendments adopted by the people independently of the Legislature. This power may be invoked by petition wherein the proposed measure shall be set forth at length. If the petition be for the enactment of a law, it shall be signed by seven per cent of the electors of the state, and if the petition be for the amendment of the Constitution, the petition therefor shall be signed by ten per cent of such electors. In all cases the electors signing such petition shall be so distributed as to include five per cent of the electors of each of two-fifths of the counties of the state, and when thus signed the petition shall be filed with the Secretary of State, who shall submit the measure thus proposed to the electors of the state at the first general election held not less than four months after such petition shall have been filed. The same measure, either in form or in essential substance, shall not be submitted to the people by initiative petition, either affirmatively or negatively, oftener than once in three years. If conflicting measures submitted to the people at the same election be approved, the one receiving the highest number of affirmative votes shall thereby become law as to all conflicting provisions. The constitutional limitations as to the scope and subject matter of statutes enacted by the Legislature shall apply to those enacted by the initiative.

Sec. 3. The second power reserved is the referendum which may be invoked by petition, against any act or part of an act of the Legislature, except those making appropriations for the expense of the state government or a state institution existing at the time of the passage of such act. Petitions invoking the referendum shall be signed by not less than five per cent of the electors of the state, distributed as required for initiative petitions, and filed in the office of the Secretary of State within ninety days after the Legislature at which the act sought to be referred was passed shall have adjourned *sine die* or for more than ninety days. Such petition shall set out the title of the act against which the referendum is invoked, and in addition thereto, when only a portion of the act is sought to be referred, the number of the section or sections or portion of sections of the act designating such portion. When the referendum is thus invoked, the Secretary of State shall refer the same to the electors for approval or rejection at the first general election to be held not less than thirty days after the filing of such petition.

When the referendum is invoked, as to any act or part of act, other than emergency acts or those for the immediate preservation of the public peace, health or safety, by petition signed by not less than ten per cent of the electors of the state, distributed as aforesaid, it shall suspend the taking effect of such act or part of act until the same has been approved by the electors of the state.

Sec. 4. The whole number of votes cast for Governor at the general election next preceding the filing of an initiative or referendum petition shall be the basis on which the number of signatures to such petition shall be computed. The veto power of the Governor shall not extend to measures initiated by or referred to the people. A measure initiated shall become a law or part of the Constitution, as the case may be, when a majority of the votes cast thereon, and not less than thirty-five per cent of the total vote cast at the election at which the same was submitted, are cast in favor thereof, and shall take effect

upon proclamation by the governor which shall be made within ten days after the official canvass of such votes. The vote upon initiative and referendum measures shall be returned and canvassed in the manner prescribed for the canvass of votes for president. The method of submitting and adopting amendments to the Constitution provided by this section shall be supplementary to the method prescribed in the article of this Constitution, entitled, "Amendments" and the latter shall in no case be construed to conflict herewith. The provisions with respect to the initiative and referendum shall be self-executing, but legislation may be enacted to facilitate their operation. All propositions submitted in pursuance hereof shall be submitted in a non-partisan manner and without any indication or suggestion on the ballot that they have been approved or endorsed by any political party or organization. Only the title or proper descriptive words of measures shall be printed on the ballot, and when two or more measures have the same title they shall be numbered consecutively in the order of filing with the Secretary of State, and the number shall be followed by the name of the first petitioner on the corresponding petition.

Sec. 5. At the regular session of the Legislature held in the year nineteen hundred and twenty-one the Legislature shall by law divide the state into Senatorial and Representative Districts. In the creation of Senatorial and Representative Districts, any county that contains population sufficient to entitle it to two or more Senators or Representatives, shall be divided into separate and distinct Senatorial and Representative Districts, as nearly equal in population as may be, and composed of contiguous and compact territory. After the creation of such districts, one Senator shall be elected from each Senatorial District, and one Representative from each Representative District. The basis of apportionment shall be the population, excluding aliens, as shown by next preceding federal census. In like manner, when necessary to a correction of inequalities in the population of such districts, the state may be redistricted from time to time, but not oftener than once in ten years.

Sec. 6. The House of Representatives shall consist of not more than one hundred members and the Senate of not more than fifty members. The sessions of the Legislature shall be biennial, except as otherwise provided by this Constitution.

Sec. 7. Senators and representatives shall be elected for a term of two years. They shall each receive the sum of eight hundred dollars for attendance at each regular biennial session of the Legislature and ten dollars for each day in actual attendance at special sessions; but in no case shall compensation for attendance at any one special session exceed one hundred dollars. They shall also be paid ten cents per mile for each mile traveled in once going to and returning from each regular or special session of the Legislature by the most usual route. Members of the Legislature shall receive no pay nor perquisites other than their mileage and salary or per diem, as the case may be, nor shall employees receive any other compensation than their salary or per diem. After the expiration of twenty days of the session, no bills nor joint resolutions of the nature of bills shall be introduced, unless the Governor shall, by special message call the attention of the Legislature to the necessity of passing a law

on the subject matter embraced in the message,[†] and the introduction of bills shall be restricted thereto. Provided, that the general appropriation bills may be introduced up to and including the fortieth day.

Sec. 8. No person shall be eligible to the office of Senator or member of the House of Representatives, who shall not be an elector and have resided within the district from which he is elected for the term of one year next before his election, unless he shall have been absent on the public business of the United States or of this State. And no person elected as aforesaid shall hold his office after he shall have removed from such district.

Sec. 9. No person holding office under the authority of the United States, or any lucrative office under the authority of the state, shall be eligible to, or have a seat in the Legislature, but this provision shall not extend to precinct or township officers, justices of the peace, notaries public, or officers of the militia, nor shall any person interested in a contract with, or an unadjusted claim, against the state hold a seat in the Legislature.

Sec. 10. The session of the Legislature shall commence at 12:00 o'clock (noon) on the first Tuesday in January in the next year ensuing the election of members thereof, and at no other time, unless as provided by this Constitution. A majority of the members elected to each House shall constitute a quorum; each House shall determine the rules of its proceedings, and be the judge of the election, returns, and qualifications of its members, shall choose its own officers, and the Senate shall choose a temporary president, to preside when the Lieutenant Governor shall not attend as president, or shall act as Governor. The Secretary of State shall call the House of Representatives to order at the opening of each new Legislature and preside over it until a temporary presiding officer thereof shall have been chosen, and shall have taken his seat. No member shall be expelled by either House, except by a vote of two-thirds of all members elected to that House, and no member shall be twice expelled for the same offense. Each House may punish by imprisonment any person not a member thereof who shall be guilty of disrespect to the House by disorderly or contemptuous behavior in its presence, but no such imprisonment shall extend beyond twenty-four hours at one time, unless the person shall persist in such disorderly or contemptuous behavior.

Sec. 11. Each House shall keep a journal of its proceedings and publish them (except such parts as may require secrecy) and the yeas and nays of members on any question, shall at the desire of any two of them be entered on the journal. All votes in either House shall be viva voce. The doors of each House, and of the Committee of the Whole, shall be open, unless when the business shall be such as ought to be kept secret. Neither House shall, without the consent of the other, adjourn for more than three days.

Sec. 12. Any bill may originate in either House of the Legislature except bills appropriating money, which shall originate only in the House of Representatives, and all bills passed by one House may be amended by the other.

Sec. 13. The style of all bills shall be, "Be it enacted by the people of the State of Nebraska," and no law shall be enacted except by bill. No bill shall be passed by the Legislature unless by the assent of a majority of all members

elected to each House of the Legislature, and the question upon final passage shall be taken immediately upon its last reading and the yeas and nays shall be entered upon the journal. No amendment to any bill by one House shall be concurred in by the other nor shall the report of any conference committee as to any bill be adopted by either House except by the assent of the same number of members as is required for the passage of the original bill taken by yeas and nays entered upon the journal.

Sec. 14. Every bill and concurrent resolution shall be read by title when introduced, and a printed copy thereof provided for the use of each member, and the bill and all amendments thereto shall be printed and read at large before the vote is taken upon its final passage. No bill shall contain more than one subject, and the same shall be clearly expressed in the title. And no law shall be amended unless the new act contain the section or sections as amended, and the section or sections so amended shall be repealed. The presiding officer of each House shall sign in the presence of the House over which he presides while the same is in session and capable of transacting business, all bills and concurrent resolutions passed by the Legislature.

Sec. 15. Members of the Legislature in all cases except treason, felony or breach of the peace, shall be privileged from arrest during the session of the Legislature, and for fifteen days next before the commencement and after the termination thereof.

Sec. 16. No person elected or appointed to the Legislature shall receive any civil appointment to a state office during the term for which he has been elected or appointed, and all such appointments shall be void; nor shall any member of the Legislature, or any state officer be interested, either directly or indirectly in any contract, with the state or any county or municipality thereof, authorized by any law enacted during the term for which he shall have been elected or appointed, or within one year after the expiration of such term.

Sec. 17. The Senate and House of Representatives in joint convention shall have the sole power of impeachment, but a majority of the members elected must concur therein. Upon the entertainment of a resolution to impeach by either House, the other House shall at once be notified thereof, and the two Houses shall meet in joint convention for the purpose of acting upon such resolution within three days of such notification. A notice of an impeachment of any officer other than a justice of the Supreme Court, shall be forthwith served upon the Chief Justice, by the Secretary of the Senate, who shall thereupon call a session of the Supreme Court to meet at the Capitol within ten days after such notice to try the impeachment. A notice of an impeachment of a Justice of the Supreme Court shall be served by the Secretary of the Senate, upon the judge of the judicial district within which the Capitol is located, and he thereupon shall notify all the judges of the District Court in the state to meet with him within thirty days at the Capitol, to sit as a court to try such impeachment, which court shall organize by electing one of its number to preside. No person shall be convicted without the concurrence of two-thirds of the members of the court of impeachment, but judgment in cases of impeachment shall not extend further than removal from office and disqualification to

hold and enjoy any office of honor, profit, or trust, in this state, but the party impeached, whether convicted or acquitted shall nevertheless be liable to prosecution and punishment according to law. No officer shall exercise his official duties after he shall have been impeached and notified thereof, until he shall have been acquitted.

Sec. 18. The Legislature shall not pass local or special laws in any of the following cases, that is to say:

For granting divorces.

Changing the names of persons or places.

Laying out, opening, altering, and working roads or highways.

Vacating roads, town plats, streets, alleys, and public grounds.

Locating or changing county seats.

Regulating County and Township offices.

Regulating the practice of Courts of Justice.

Regulating the jurisdiction and duties of Justices of the Peace, Police Magistrates and Constables.

Providing for changes of venue in civil and criminal cases.

Incorporating Cities, Towns, and Villages, or changing or amending the Charter of any Town, City or Village.

Providing for the election of officers in Townships, incorporated Towns or Cities.

Summoning or empaneling Grand or Petit Juries.

Providing for the bonding of Cities, Towns, Precincts, School Districts, or other municipalities.

Providing for the management of Public Schools.

Regulating the interest on money.

The opening and conducting of any election, or designating the place of voting.

The sale or mortgage of real estate belonging to minors or others under disability.

The protection of game or fish.

Chartering or licensing ferries or toll bridges, remitting fines, penalties, or forfeitures, creating, increasing and decreasing fees, percentages, or allowances of public officers, during the term for which said officers are elected or appointed.

Changing the law of descent.

Granting to any corporation, association, or individual, the right to lay down railroad tracks, or amending existing charters for such purpose.

Granting to any corporation, association, or individual any special or exclusive privileges, immunity, or franchise whatever. In all other cases where a general law can be made applicable, no special law shall be enacted.

Sec. 19. The Legislature shall never grant any extra compensation to any public officer, agent, or servant after the services have been rendered nor to any contractor after the contract has been entered into, nor shall the compensation of any public officer, including any officer whose compensation is fixed by the Legislature subsequent to the adoption hereof be increased or diminished during his term of office.

Sec. 20. The salt springs, coal, oil, mineral, or other natural resources on

or contained in the land belonging to the state shall never be alienated, but provision may be made by law for the leasing or development of the same.

Sec. 21. Lands under control of the state shall never be donated to railroad companies, private corporations or individuals.

Sec. 22. Each Legislature shall make appropriations for the expenses of the Government until the expiration of the first fiscal quarter after the adjournment of the next regular session, and all appropriations shall end with such fiscal quarter. And whenever it is deemed necessary to make further appropriations for deficiencies, the same shall require a two-thirds vote of all the members elected to each House, and shall not exceed the amount of revenue authorized by law to be raised in such time. Bills making appropriations for the pay of members and officers of the Legislature, and for the salaries of the officers of the Government, shall contain no provision on any other subject.

Sec. 23. All offices created by this Constitution shall become vacant by the death of the incumbent, by removal from the state, resignation, conviction of a felony, impeachment, or becoming of unsound mind. And the Legislature shall provide by general law for the filling of such vacancy, when no provision is made for that purpose in this Constitution.

Sec. 24. The Legislature shall not authorize any games of chance, lottery, or gift enterprise under any pretense, or for any purpose whatever.

Sec. 25. No allowance shall be made for the incidental expenses of any state officer except the same be made by general appropriation and upon an account specifying each item. No money shall be drawn from the treasury except in pursuance of a specific appropriation made by law, and on the presentation of a warrant issued by the auditor thereon, and no money shall be diverted from any appropriation made for any purpose, or taken from any fund whatever, either by joint or separate resolution. The auditor shall within sixty days after the adjournment of each session of the Legislature, prepare and publish a full statement of all moneys expended at such session, specifying the amount of each item, and to whom and for what paid.

Sec. 26. No member of the Legislature shall be liable in any civil or criminal action whatever for words spoken in debate.

Sec. 27. No act shall take effect until three calendar months after the adjournment of the session at which it passed, unless in case of emergency (to be expressed in the preamble or body of the act) the Legislature shall, by a vote of two-thirds of all members elected to each House otherwise direct. All laws shall be published in book form within sixty days after the adjournment of each session, and distributed among the several counties in such manner as the Legislature may provide.

Sec. 28. Senatorial and Representative Districts shall continue as now existing, until otherwise provided by law.

ARTICLE IV—EXECUTIVE

Section 1. The executive officers of the state shall be the Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Commissioner

of Public Lands and Buildings, Treasurer, Attorney General, Superintendent of Public Instruction and the heads of such other executive departments as may be established by law. The Legislature may provide for the placing of the above named officers as heads over such departments of government as it may by law create. The Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of Public Accounts, Commissioner of Public Lands and Buildings, and Treasurer shall be chosen at the general election held in November 1922, and in each even numbered year thereafter, and their term of office shall be two years and until their successors shall be elected and qualified. The Superintendent of Public Instruction shall be elected in November, 1922, and every four years thereafter, and his term of office shall be four years and until his successor shall be elected and qualified. The records, books, and papers of all executive officers shall be kept at the seat of government, and such officers excepting the Lieutenant Governor, shall reside there during their respective terms of office. Officers in the executive department of the state shall perform such duties as may be provided by law. The heads of all executive departments established by law, other than those to be elected as provided herein, shall be appointed by the Governor, with the consent of a majority of all the members elected to the Senate and House of Representatives meeting in joint session, but officers so appointed may be removed by the Governor. Subject to the provisions of this Constitution, the heads of the various executive or civil departments shall have power to appoint and remove all subordinate employees in their respective departments.

Sec. 2. No person shall be eligible to the office of Governor, or Lieutenant Governor, who shall not have attained the age of thirty years, and who shall not have been five years next preceding his election a resident and citizen of this state and a citizen of the United States. None of the officers mentioned in this article shall be eligible to any other office during the period for which they have been elected or appointed.

Sec. 3. The treasurer shall be ineligible to the office of treasurer, for two years next after the expiration of two consecutive terms for which he was elected.

Sec. 4. The returns of every election for the officers of the executive department shall be sealed up and transmitted by the returning officers to the Secretary of State, directed to the Speaker of the House of Representatives, who shall immediately after the organization of the House, and before proceeding to other business, open and publish the same in the presence of a majority of each House of the Legislature, who shall, for that purpose assemble in the Hall of the House of Representatives. The person having the highest number of votes for either of said offices shall be declared duly elected; but if two or more have an equal and the highest number of votes, the Legislature shall, by joint vote, choose one of such persons for said office. Contested elections for all of said offices shall be determined by both Houses of the Legislature, by joint vote, in such manner as may be prescribed by law.

Sec. 5. All civil officers of this state shall be liable to impeachment for any misdemeanor in office.

Sec. 6. The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed, and the affairs of the state efficiently and economically administered.

Sec. 7. The Governor shall, at the commencement of each session, and at the close of his term of office, and whenever the Legislature may require, give by message to the Legislature information of the condition of the state, and shall recommend such measures as he shall deem expedient. He shall, by message, make to the Legislature an account and statement, with vouchers attached, of all moneys received and paid out by him, from any and all funds subject to his order, and, at the commencement of each regular session shall present, by message, a complete itemized budget of the financial requirements of all departments, institutions, and agencies of the state for the ensuing biennium. Said budget shall be prepared with such expert assistance, and under such regulations as may be provided by law. No appropriations shall be made in excess of the recommendation contained in such budget unless by three-fifths vote of each House of the Legislature, and such excess so approved by a three-fifths vote shall not be subject to veto by the Governor.

Sec. 8. The Governor may, on extraordinary occasions, convene the Legislature by proclamation, stating therein the purpose for which they are convened, and the Legislature shall enter upon no business except that for which they were called together.

Sec. 9. In case of a disagreement between the two Houses with respect to the time of adjournment, the Governor may on the same being certified to him by the House first moving the adjournment, adjourn the Legislature to such time as he thinks proper not beyond the first day of the next regular session.

Sec. 10. The Governor shall nominate, and by and with the advice and consent of the Senate, (expressed by a majority of all Senators elected, voting by yeas and nays), appoint all officers whose offices are established by the Constitution, or which may be created by law, and whose appointment, or election is not otherwise by law or herein provided for; and no such officer shall be appointed or elected by the Legislature.

Sec. 11. In case of a vacancy during the recess of the Senate, in any office which is not elective, the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall nominate some person to fill such office; and any person so nominated, who is confirmed by the Senate, (a majority of all the Senators elected concurring by voting yeas and nays), shall hold his office during the remainder of the term, and until his successor shall be appointed and qualified. No person after being rejected by the Senate, shall be again nominated for the same office at the same session, unless at request of the Senate, or be appointed to the same office during the recess of the Legislature.

Sec. 12. The Governor shall have power to remove any officer, whom he may appoint, in case of incompetency, neglect of duty, or malfeasance in office, and he may declare his office vacant, and fill the same as herein provided in other cases of vacancy.

Sec. 13. The Governor, Attorney General, and Secretary of State shall constitute a board to be known as the Board of Pardons, of which the Governor shall be chairman. Said board, or a majority thereof, shall have power to remit fines and forfeitures, and to grant commutations, pardons, and paroles after conviction and judgment, under such conditions as may be prescribed by law, for any offenses committed against the criminal laws of this state except treason and cases of impeachment. But no fine or forfeiture shall be remitted, and no commutation, pardon or parole granted except upon the approval of a majority of the board after a full hearing in open session, and not until notice of the time and place of such hearing, and of relief sought, shall have been given by personal service thereof upon the judge of the court by which the sentence was pronounced, and the county attorney of the county where the offense was committed. Provided, however, the Governor shall have power to grant respites or reprieves in all cases of conviction for offenses against the laws of the state, except treason and cases of impeachment, but such respites or reprieves shall not extend beyond the next meeting of the Board of Pardons, and in no case for a greater period than thirty days. The proceedings and decisions shall be reduced to writing, and with the reasons for such action in each case, signed by the members of the board concurring therein, and with all papers used upon the hearing including the dissent of any member who may not concur, shall be filed in the office of the Secretary of State. The Governor shall communicate to the Legislature, at each regular session, each case of remission of fine, forfeiture, reprieve, commutation, pardon or parole, granted since the last previous report, stating the name of the convict, the crime of which he was convicted, the sentence and its date, and the date of remission, commutation, pardon, parole or reprieve, with the reasons for granting the same, and the objections, if any, of any members of the board made thereto. The board shall have power to suspend the execution of the sentence imposed for treason until the case can be reported to the Legislature at its next session, when the Legislature shall either grant a pardon, or commute the sentence or direct the execution, or grant a further reprieve.

Sec. 14. The Governor shall be commander-in-chief of the military and naval forces of the state (except when they shall be called into the service of the United States) and may call out the same to execute the laws, suppress insurrection, and repel invasion.

Sec. 15. Every bill passed by the Legislature, before it becomes a law, and every order, resolution or vote to which the concurrence of both Houses may be necessary (except on questions of adjournment) shall be presented to the Governor. If he approves he shall sign it, and thereupon it shall become a law, but if he do not approve, he shall return it with his objections to the House in which it shall have originated, which House shall enter the objections at large upon its journal, and proceed to reconsider the bill. If then three-fifths of the members elected agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by three-fifths of the members elected to that House, it shall become a law notwithstanding the objections of the Governor. In all such cases the

vote of each House shall be determined by yeas and nays, to be entered upon the journal. Any bill which shall not be returned by the Governor within five days (Sundays excepted) after it shall have been presented to him, shall become a law in like manner as if he had signed it; unless the Legislature by their adjournment prevent its return; in which case it shall be filed, with his objections, in the office of the Secretary of State within five days after such adjournment, or become a law. The Governor may disapprove any item or items of appropriation contained in bills passed by the Legislature, and the item or items so disapproved shall be stricken therefrom, unless repassed in the manner herein prescribed in cases of disapproval of bills.

Sec. 16. In case of the death, impeachment, and notice thereof to the accused, failure to qualify, resignation, absence from the state, or other disability of the Governor, the powers, duties and emoluments of the office for the residue of the term, or until the disability shall be removed, shall devolve upon the Lieutenant Governor.

Sec. 17. The Lieutenant Governor shall be president of the Senate, and shall vote only when the Senate is equally divided.

Sec. 18. If there be no Lieutenant Governor, or if the Lieutenant Governor for any of the causes specified in Section Sixteen of this article, become incapable of performing the duties of the office, the President of the Senate shall act as Governor until the vacancy is filled, or the disability removed; and if the president of the Senate, for any of the above named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the Speaker of the House of Representatives.

Sec. 19. There shall be a "Board of Control" of state institutions consisting of three members who shall be appointed by the Governor by and with the consent of two-thirds of the members of the Senate. Not more than two of the members of said board shall belong to the same political party and no two of them shall reside in the same Congressional district when appointed. They shall be appointed for a term of six years except to fill vacancy which shall be for the unexpired term. The present members shall hold office until their successors are appointed, and one member shall be appointed in the month of January, 1921, and one every two years thereafter. The Board of Control shall have full power to manage, control and govern, subject only to such limitations as may be established by law, all state charitable, reformatory and penal institutions that now are or may hereafter be established. They shall give such bonds, receive such salaries, and perform such duties as may be provided by law.

Sec. 20. There shall be a State Railway Commission, consisting of three members, who shall be first elected at the general election in 1906, whose terms of office, except those chosen at the first election under this provision, shall be six years, and whose compensation shall be fixed by the Legislature. Of the three commissioners first elected, the one receiving the highest number of votes, shall hold his office for six years, the next highest four years, and the lowest two years. The powers and duties of such commission shall include the regulation of rates, service, and general control of common carriers as the

Legislature may provide by law. But, in the absence of specific legislation, the commission shall exercise the powers, and perform the duties enumerated in this provision.

Sec. 21. If the office of Auditor of Public Accounts, Treasurer, Secretary of State, Attorney General, Commissioner of Public Lands and Buildings, or Superintendent of Public Instruction, shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified in such manner as may be provided by law.

Sec. 22. An account shall be kept by the officers of the executive department and of all the public institutions of the state, of all moneys received or disbursed by them severally from all sources, and for every service performed, and a semi-annual report thereof be made to the Governor under oath; and any officer who makes a false report shall be guilty of perjury and punished accordingly.

Sec. 23. The officers of the executive department and of all the public institutions of the state shall at least ten days preceding each regular session of the Legislature severally report to the Governor, who shall transmit such reports to the Legislature, together with the reports of the judges of the Supreme Court of defects in the Constitution and laws, and the Governor or either House of the Legislature may at any time require information in writing, under oath, from the officers of the executive department, and all officers, managers of state institutions, upon any subject relating to the condition, management and expenses of their respective offices.

Sec. 24. There shall be a seal of the state, which shall be called the "Great Seal of the State of Nebraska," which shall be kept by the Secretary of State and used by him officially as directed by law.

Sec. 25. The officers provided for in this article shall receive such salaries as may be provided by law, but the salary of no officer shall be changed more than once in eight years. Such officers or such other officers as may be provided for by law, shall not receive for their own use any fees, costs, or interest upon public moneys in their hands. All fees that may hereafter be payable by law for services performed, or received by an officer provided for in this article, by virtue of his office shall be paid forthwith into the state treasury.

Sec. 26. The officers mentioned in this article shall give bond in not less than double the amount of money that may come into their hands, and in no case less than the sum of fifty thousand dollars, with such provisions as to sureties and the approval thereof, and for the increase of the penalty of such bonds, as may be prescribed by law.

Sec. 27. No executive state office other than herein provided shall be created except by a two-thirds majority of all members elected to the Senate and House of Representatives respectively.

Sec. 28. A Tax Commissioner shall be appointed by the Governor with the advice and consent of the Senate. He shall have jurisdiction over the administration of the revenue laws of the state, and together with the Governor, Secretary of State, State Auditor, and State Treasurer shall have power to

review and equalize assessments of property for taxation within the state. He shall have such other powers and perform such other duties as the Legislature may provide. His term of office and compensation shall be as provided by law.

ARTICLE V—JUDICIAL

Section 1. The judicial power of the state shall be vested in a supreme court, district courts, county courts, justices of the peace, and such other courts inferior to the supreme court as may be created by law; but other courts may be substituted by law for justices of the peace within such districts, and with such additional civil and criminal jurisdiction, as may be provided by law.

Sec. 2. The supreme court shall consist of seven judges, one of whom shall be the Chief Justice. A majority of the judges shall be necessary to constitute a quorum. A majority of the members sitting shall have authority to pronounce a decision except in cases involving the constitutionality of an act of the Legislature. No legislative act shall be held unconstitutional except by the concurrence of five judges. The supreme court shall have jurisdiction in all cases relating to the revenue, civil cases in which the state is a party, mandamus, quo warranto, habeas corpus, and such appellate jurisdiction as may be provided by law. Whenever necessary for the prompt submission and determination of causes, the supreme court may appoint judges of the district court to act as associate judges of the supreme court, sufficient in number, with the judges of the supreme court, to constitute two divisions of the court of five judges in each division. Whenever judges of the district court are so acting the court shall sit in two divisions, and four of the judges thereof shall be necessary to constitute a quorum. Judges of the district court so appointed shall serve during the pleasure of the court, and shall have all the powers of judges of the supreme court. The Chief Justice shall make assignments of judges to the divisions of the court, and shall preside over the division of which he is a member, and designate the presiding judge of the other division. The judges of the supreme court, sitting without division, shall hear and determine all cases involving constitutionality of a statute, and all appeals from convictions of homicide; and may review any decision rendered by a division of the court. In such cases, in the event of the disability or disqualification by interest or otherwise, of any of the judges of the supreme court, the court may appoint judges of the district court to sit temporarily as judges of the supreme court, sufficient to constitute a full court of seven judges. Judges of the district court shall receive no additional salary by virtue of their appointment and service as herein provided; but they shall be reimbursed their necessary traveling and hotel expenses.

Sec. 3. At least two terms of the supreme court shall be held each year, at the seat of government.

Sec. 4. The Chief Justice of the supreme court shall be elected by the electors of the state at large. The judges of the supreme court, other than the Chief Justice, shall be elected by the electors of the districts as herein provided. The term of office of judges of the supreme court shall be six years during which they shall reside at the place where the court is holden; but no judge of the

supreme court now in office or hereafter shall be deemed thereby to have lost his residence at the place from which he was elected.

Sec. 5. The Legislature shall divide the state along county lines into six compact districts, of approximately equal population, which shall be numbered from one to six, consecutive numbers to be given adjacent districts. Such districts shall correspond, as nearly as may be practicable, in location and numbers with the present six Congressional Districts of the state. Such districts shall not be changed except upon the concurrence of two-thirds of the members of each house of the Legislature, nor shall any such change vacate the office of any judge. Until such districts are established, the six Congressional Districts of the state as now constituted and numbered shall be the supreme court judicial districts.

A Chief Justice shall be elected in the year 1920 and each six years thereafter; in the year 1922, and each six years thereafter, there shall be elected by the electors of each of the three even numbered districts one judge of the supreme court; and the judges so elected shall be the successors of the judges whose terms of office expire in January, 1923; in the year 1924, and each six years thereafter, there shall be elected by the electors of each of the three odd numbered districts one judge of the supreme court, and the judges so elected shall be the successors of the judges whose terms of office expire in January, 1925.

Sec. 6. The chief justice shall preside at all terms and sittings of the supreme court, and in his absence or disability the judges present shall select one of their number chief justice pro tempore.

Sec. 7. No person shall be eligible to the office of chief justice or judge of the supreme court unless he shall be at least thirty years of age, and a citizen of the United States, and shall have resided in this state at least three years next preceding his election; nor, in the case of a judge of the supreme court elected from a supreme court judicial district, unless he shall be a resident and elector of the district from which elected.

Sec. 8. There shall be appointed by the supreme court, a clerk and a reporter of the court, each of whom shall hold his office for the term of six years, unless sooner removed by the court, and their salaries shall be fixed by law; the clerk shall also act as librarian of the law and miscellaneous library of the state.

The court shall also appoint such clerical help as may be needed for the proper dispatch of the business of the court. The court shall prepare and recommend to each session of the Legislature a budget of the estimated expenses of the court for the ensuing biennium. The copyright of the state reports shall forever remain the property of the state.

Sec. 9. The district court shall have both chancery and common law jurisdiction, and such other jurisdiction as the Legislature may provide; and the judges thereof may admit persons charged with felony to a plea of guilty and pass such sentence as may be prescribed by law.

Sec. 10. The state shall be divided into district court judicial districts. Until otherwise provided by law, the boundaries of the judicial districts and the

number of judges of the district courts shall remain as now fixed. The judges of the district courts shall be elected by the electors of the respective districts, and their term of office shall be four years.

Sec. 11. The concurrence of two-thirds of the members elected to each House of the Legislature shall be required to change the number of judges of the district courts, or to alter the boundaries of judicial districts. Such change in number or alteration in boundaries shall not vacate the office of any judge. Such districts shall be formed of compact territory bounded by county lines.

Sec. 12. The judges of the district court may hold court for each other, and shall do so when required by law or, when ordered by the supreme court.

Sec. 13. The chief justice, the judges of the supreme court, and the judges of the district court shall receive such salaries as may be provided by law.

Sec. 14. No judge of the supreme court or district courts shall act as attorney or counsellor at law in any manner whatsoever. No county judge shall practice law in any court in any matter arising in or growing out of any proceedings in his own court.

Sec. 15. In the year 1920 and every four years thereafter there shall be elected in and for each county one judge, who shall be judge of the county court of such county, whose term of office shall be four years, and whose salary shall be fixed by law.

Sec. 16. County courts shall be courts of record, and shall have original jurisdiction in all matters of probate, settlement of estates of deceased persons, and in such proceedings to find and determine heirship; appointment of guardians, and settlement of their accounts; and such other jurisdiction as may be given by general law. But they shall not have jurisdiction in criminal cases in which the punishment may exceed six months imprisonment or a fine of over five hundred dollars, or both; nor in civil actions in which title to real estate is sought or drawn in question; nor in actions on mortgages or contracts for the conveyance of real estate; nor in civil actions where the debt or sum claimed shall exceed one thousand dollars.

Sec. 17. Appeals to the district court from the judgments of county courts shall be allowed in all criminal cases, on application of the defendant; and in all civil cases, on application of either party, and in such other cases as may be provided by law.

Sec. 18. Justices of the peace shall be elected in and for such districts for such term, and have and exercise such jurisdiction as may be provided by law; but no justice of the peace shall have jurisdiction in any civil case where the amount in controversy shall exceed two hundred dollars; nor in a criminal case where the punishment may exceed three months imprisonment, and a fine of over one hundred dollars or both; nor in any matter wherein the title or boundaries of land may be in dispute.

Sec. 19. The organization, jurisdiction, powers, proceedings, and practice of all courts of the same class or grade, so far as regulated by law, and the force and effect of the proceedings, judgments and decrees of such courts, severally, shall be uniform.

Sec. 20. All officers provided for in this article shall hold their offices until their successors shall be qualified and they shall respectively reside in the district, county or precinct from which they shall be elected or appointed. All officers, when not otherwise provided for in this article, shall perform such duties, and receive such compensation as may be prescribed by law.

Sec. 21. In case the office of any judge of the supreme court or any district court shall become vacant before the expiration of the regular term for which he was elected, the vacancy shall be filled by appointment by the Governor, for the unexpired term, and until a successor shall be elected and qualified.

Vacancies in all other elective offices shall be filled by election, but when the unexpired term does not exceed two years the vacancy may be filled by appointment in such manner as the Legislature may provide.

Sec. 22. The state may sue and be sued, and the Legislature shall provide by law in what manner and in what courts suits shall be brought.

Sec. 23. The several judges of the courts of record shall have such jurisdiction at chambers as may be provided by law.

Sec. 24. All process shall run in the name of "The State of Nebraska," and all prosecutions shall be carried on in the name of "The State of Nebraska."

Sec. 25. For the effectual administration of justice and the prompt disposition of judicial proceedings, the supreme court may promulgate rules of practice and procedure for all courts, uniform as to each class of courts, and not in conflict with laws governing such matters. To the same end, the court may, and when requested by the Legislature by joint resolution, shall certify to the Legislature, its conclusions as to desirable amendments or changes in the general laws governing such practice and proceedings.

Sec. 26. If the foregoing amendment shall be adopted by the electors, all existing courts which are not in the foregoing amendment specifically enumerated, and concerning which no other provision is herein made, shall continue in existence, and exercise their present jurisdiction, and the judges thereof shall receive their present compensation, until otherwise provided by law; and such judges or appointees to fill vacancies shall hold their offices until their successors shall be elected and qualify.

ARTICLE VI—SUFFRAGE

Section 1. Every citizen of the United States, who has attained the age of twenty-one years, and has resided within the state for six months, and within the county and voting precinct for the terms provided by law, shall be an elector.

Sec. 2. No person shall be qualified to vote who is non compos mentis, or who has been convicted of treason or felony under the laws of the state or of the United States, unless restored to civil rights.

Sec. 3. Every elector in the military or naval service of the United States or of this state may exercise the right of suffrage at such place, and under such regulations as may be provided by law.

Sec. 4. No soldier, seaman, or marine in the army or navy of the United

States shall be deemed a resident of the state in consequence of being stationed therein.

Sec. 5. Electors shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, and going to and returning from the same, and no elector shall be obliged to do military duty on the days of election, except in time of war and public danger.

Sec. 6. All votes shall be by ballot.

ARTICLE VII—EDUCATION

Section 1. The Governor, Secretary of State, Treasurer, Attorney General, and Commissioner of Public Lands and Buildings shall, under the direction of the Legislature, constitute a board of commissioners for the sale, leasing, and general management of all lands and funds set apart for educational purposes, and for the investment of school funds, in such manner as may be prescribed by law.

Sec. 2. All lands, money or other property granted, or bequeathed, or in any manner conveyed to this state for educational purposes shall be used and expended in accordance with the terms of such grant, bequest, or conveyance.

Sec. 3. The following are hereby declared to be perpetual funds for common school purposes of which the annual interest or income only can be appropriated, to-wit:

First. Such per centum as has been, or may hereafter be, granted by Congress on the sale of lands in this state.

Second. All moneys arising from the sale or leasing of sections number sixteen and thirty-six in each township in this state, and the lands selected, or that may be selected, in lieu thereof.

Third. The proceeds of all lands that have been, or may hereafter be, granted to this state, where by the terms and conditions of such grant the same are not to be otherwise appropriated.

Fourth. The net proceeds of lands and other property and effects that may come to this state, by escheat or forfeiture, or from unclaimed dividends, or distributive shares of the estates of deceased persons.

Fifth. All moneys, stocks, bonds, lands, and other property, now belonging to the common school fund.

Sec. 4. All other grants, gifts, and devises, that have been, or may hereafter be, made to this state, and not otherwise appropriated by the terms of the grant, gift, or devise, the interest arising from all the funds mentioned in the preceding section, together with all the rents of the unsold school lands, and such other means as the Legislature may provide, shall be exclusively applied to the support and maintenance of common schools in each school district in the state.

Sec. 5. All fines, penalties, and license moneys, arising under the general laws of the state, shall belong and be paid over to the counties respectively, where the same may be levied or imposed, and all fines, penalties, and license moneys arising under the rules, by-laws, or ordinances of cities, villages, towns, precincts, or other municipal subdivision less than a county, shall belong and

be paid over to the same respectively. All such fines, penalties, and license moneys shall be appropriated exclusively to the use and support of the common schools in the respective subdivisions where the same may accrue.

Sec. 6. The Legislature shall provide for the free instruction in the common schools of this state of all persons between the ages of five and twenty-one years.

Sec. 7. Provision shall be made by general law for equitable distribution of the income of the fund set apart for the support of the common schools among the several school districts of the state, and no appropriation shall be made from said fund to any district for the year in which school is not maintained for the minimum term required by law.

Sec. 8. No lands now owned or hereafter acquired by the state for educational purposes shall be sold except at public auction under such conditions as the Legislature shall provide.

Sec. 9. All funds belonging to the state for educational purposes, the interest and income whereof only are to be used, shall be deemed trust funds held by the state, and the state shall supply all losses thereof, that may in any manner accrue, so that the same shall remain forever inviolate and undiminished; and shall not be invested or loaned except on United States or state securities; or registered county bonds of this state, or registered school district bonds of this state; and such other securities as the Legislature may from time to time direct. And such funds with the interest and income thereof, are hereby solemnly pledged to the purposes for which they are granted and set apart, and shall not be transferred to any other fund for other uses.

Sec. 10. The general government of the University of Nebraska shall, under the direction of the Legislature, be vested in a board of six regents to be styled The Board of Regents of the University of Nebraska, who shall be elected from and by districts as herein provided. Their term of office shall be for six years each. Their duties and powers shall be prescribed by law; and they shall receive no compensation, but may be reimbursed their actual expenses incurred in the discharge of their duties.

The Legislature shall divide the state, along county lines, into six compact regent districts of approximately equal population, which shall be numbered from one to six, consecutive numbers to be given adjacent districts. Such districts shall correspond, as nearly as may be practicable, in location and numbers with the present six Congressional Districts of the state. Such districts shall not be changed except upon the concurrence of two-thirds of the members of each House of the Legislature, nor shall any such change vacate the office of any regent. Until such districts are established, the six Congressional Districts of the state as now constituted and numbered shall be the districts provided for by this section.

Provided, that the regents elected before the adoption of this Constitution shall serve out their respective terms and that the successors of those whose terms expire in January, 1923, shall be elected from districts numbered three and four respectively at the general election to be held in 1922; of those whose terms expire in 1925, from districts numbered one and two, at the general

election to be held in 1924; and of those whose terms expire in 1927, from districts numbered five and six, at the general election to be held in 1926.

Sec. 11. No sectarian instruction shall be allowed in any school or institution supported in whole or in part by the public funds set apart for educational purposes, nor shall the state accept any grant, conveyance, or bequest of money, lands or other property to be used for sectarian purposes. Neither the State Legislature nor any county, city or other public corporation, shall ever make any appropriation from any public fund, or grant any public land in aid of any sectarian or denominational school or college, or any educational institution which is not exclusively owned and controlled by the state or a governmental subdivision thereof. No religious test or qualification shall be required of teacher or student, for admission to or continuance in any public school or educational institution supported in whole or in part by public taxation.

Sec. 12. The Legislature may provide by law for the establishment of a school or schools for the safe keeping, education, employment, and reformation of all children under the age of eighteen years, who, for want of proper parental care, or other cause, are growing up in mendicancy or crime.

Sec. 13. The general government of the state normal schools, as now existing, and such other normal schools as may be established by law, shall be vested, under the direction of the Legislature, in a board of seven members to be styled Board of Education of State Normal Schools, six of whom shall be appointed by the Governor, with the advice and consent of the Senate, two each for a term of two, four, and six years, and two each biennium thereafter for a term of six years, and the State Superintendent of Public Instruction shall be a member ex-officio. The duties and powers of said board shall be prescribed by law, and the members thereof shall receive no compensation for the performance of their duties, but may be reimbursed their actual expenses incurred therein.

ARTICLE VIII—REVENUE

Section 1. The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct; but taxes shall be levied by valuation uniformly and proportionately upon all tangible property and franchises, and taxes uniform as to class may be levied by valuation upon all other property. Taxes, other than property taxes, may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

Sec. 2. The property of the state and its governmental subdivisions shall be exempt from taxation. The Legislature by general law may exempt property owned by and used exclusively for agricultural and horticultural societies, and property owned and used exclusively for educational, religious, charitable or cemetery purposes, when such property is not owned or used for financial gain or profit to either the owner or user. Household goods of the value of two hundred (\$200.00) dollars to each family shall be exempt from taxation. The Legislature by general law may provide that the increased value of land by reason of shade and ornamental trees planted along the highway shall not be

taken into account in the assessment of such land. No property shall be exempt from taxation except as provided in this section.

Sec. 3. The right of redemption from all sales of real estate for the non-payment of taxes or special assessments of any character whatever, shall exist in favor of owners and persons interested in such real estate, for a period of not less than two years from such sales thereof. Provided, that occupants shall, in all cases, be served with personal notice before the time of redemption expires.

Sec. 4. The Legislature shall have no power to release or discharge any county, city, township, town or district whatever, or the inhabitants thereof, or any corporation, or the property therein, from their or its proportionate share of taxes to be levied for state purposes, or due any municipal corporation, nor shall commutation for such taxes be authorized in any form whatever.

Sec. 5. County authorities shall never assess taxes the aggregate of which shall exceed fifty cents per one hundred dollars actual valuation as determined by the assessment rolls, except for the payment of indebtedness existing at the adoption hereof, unless authorized by a vote of the people of the county.

Sec. 6. The Legislature may vest the corporate authorities of cities, towns, and villages, with power to make local improvements by special assessments, or by special taxation of property benefited. For all other corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes, but such taxes shall be uniform in respect to persons and property within the jurisdiction of the body imposing the same.

Sec. 7. Private property shall not be liable to be taken or sold for the payment of the corporate debts of municipal corporations. The Legislature shall not impose taxes upon municipal corporations, or the inhabitants or property thereof, for corporate purposes.

Sec. 8. The Legislature at its first session shall provide by law for the funding of all outstanding warrants, and other indebtedness of the state, at a rate of interest not exceeding eight per cent per annum.

Sec. 9. The Legislature shall provide by law that all claims upon the treasury, shall be examined and adjusted by the auditor and approved by the secretary of state, before any warrant for the amount allowed shall be drawn. Provided, that a party aggrieved by the decision of the auditor and secretary of state may appeal to the district court.

ARTICLE IX—COUNTIES

Section 1. No new county shall be formed or established by the Legislature which will reduce the county or counties, or either of them, to a less area than four hundred square miles, nor shall any county be formed of a less area.

Sec. 2. No county shall be divided nor any part of the territory of any county be stricken therefrom, nor shall any county or part of the territory of any county be added to an adjoining county without submitting the question to the qualified electors of each county affected thereby, nor unless approved by a majority of the qualified electors of each county voting thereon; provided,

that when county boundaries divide sections, or overlap, or fail to meet, or are in doubt, the Legislature may by law provide for their adjustment, but in all cases the new boundary shall follow the nearest section line or the thread of the main channel of a boundary stream.

Sec. 3. When a county shall be added to another, all prior indebtedness of each county shall remain a charge on the taxable property within the territory of each county as it existed prior to consolidation. When any part of a county is stricken off and attached to another county the part stricken off shall be holden for its proportion of all then existing liabilities of the county from which it is taken, but shall not be holden for any then existing liabilities of the county to which it is attached.

Sec. 4. The Legislature shall provide by law for the election of such county and township officers as may be necessary.

Sec. 5. The Legislature shall provide by general law for township organization, under which any county may organize whenever a majority of the legal voters of such county voting at any general election shall so determine; and in any county that shall have adopted a township organization the question of continuing the same may be submitted to a vote of the electors of such county at a general election in the manner that shall be provided by law.

ARTICLE X—PUBLIC SERVICE CORPORATIONS

Section 1. Every public utility corporation or common carrier organized or doing business in this state shall report, under oath, to the Railway Commission, when required by law or the order of said Commission. The reports so made shall include such matter as may be required by law or the order of said Commission.

Sec. 2. The rolling stock and all other movable property belonging to any railroad company or corporation in this state shall be liable to execution and sale in the same manner as the personal property of individuals, and the Legislature shall pass no law exempting any such property from execution and sale.

Sec. 3. No public utility corporation or common carrier shall consolidate its stock, property, franchise, or earnings in whole or in part with any other public utility corporation or common carrier owning a parallel or competing property without permission of the Railway Commission; and in no case shall any consolidation take place except upon public notice of at least sixty days to all stockholders, in such manner as may be provided by law. The Legislature may by law require all public utilities and common carriers to exchange business through physical connection, joint use, connected service, or otherwise.

Sec. 4. Railways heretofore constructed, or that may hereafter be constructed, in this state, are hereby declared public highways, and shall be free to all persons for the transportation of their persons and property thereon, under such regulations as may be prescribed by law. And the Legislature may from time to time pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on the different railroads in this state. The liability of railroad corporations as common carriers shall never be limited.

Sec. 5. The capital stock of public utility corporations or common carriers shall not be increased for any purpose except after public notice for sixty days, and in such manner as may be provided by law. No dividend shall be declared or distributed except out of net earnings after paying all operating expenses, including a depreciation reserve sufficient to keep the investment intact.

Sec. 6. The exercise of the power and the right of eminent domain shall never be so construed or abridged as to prevent the taking by the Legislature of the property and franchises of incorporated companies already organized, or hereafter to be organized, and subjecting them to the public necessity the same as of individuals.

Sec. 7. The Legislature shall pass laws to correct abuses and prevent unjust discrimination and extortion in all charges of express, telegraph, and railroad companies in this state, and enforce such laws by adequate penalties to the extent, if necessary for that purpose, of forfeiture of their property and franchises.

Sec. 8. No railroad corporation organized under the laws of any other state, or of the United States, and doing business in this State shall be entitled to exercise the right of eminent domain or have power to acquire the right-of-way, or real estate for depot or other uses, until it shall have become a body corporate pursuant to and in accordance with the laws of this state.

ARTICLE XI—MUNICIPAL CORPORATIONS

Section 1. No city, county, town, precinct, municipality, or other subdivision of the state, shall ever become a subscriber to the capital stock, or owner of such stock, or any portion or interest therein of any railroad, or private corporation, or association.

Sec. 2. Any city having a population of more than five thousand (5,000) inhabitants may frame a charter for its own government, consistent with and subject to the constitution and laws of this state, by causing a convention of fifteen freeholders, who shall have been for at least five years qualified electors thereof, to be elected by the qualified voters of said city at any general or special election, whose duty it shall be within four months after such election, to prepare and propose a charter for such city, which charter, when completed, with a prefatory synopsis, shall be signed by the officers and members of the convention, or a majority thereof, and delivered to the clerk of said city, who shall publish the same in full, with his official certification, in the official paper of said city, if there be one, and if there be no official paper, then in at least one newspaper published and in general circulation in said city, three times, and a week apart, and within not less than thirty days after such publication it shall be submitted to the qualified electors of said city at a general or special election, and if a majority of such qualified voters, voting thereon, shall ratify the same, it shall at the end of sixty days thereafter become the charter of said city, and supersede any existing charter and all amendments thereof. A duplicate certificate shall be made, setting forth the charter proposed and its ratification (together with the vote for and against) and duly certified by the

city clerk, and authenticated by the corporate seal of said city, and one copy thereof shall be filed with the Secretary of State and the other deposited among the archives of the city, and shall thereupon become and be the charter of said city, and all amendments of such charter, shall be authenticated in the same manner, and filed with the secretary of state and deposited in the archives of the city.

Sec. 3. But if said charter be rejected, then within six months thereafter, the mayor and council or governing authorities of said city may call a special election at which fifteen members of a new charter convention shall be elected to be called and held as above in such city, and they shall proceed as above to frame a charter which shall in like manner and to the like end be published and submitted to a vote of said voters for their approval or rejection. If again rejected, the procedure herein designated may be repeated until a charter is finally approved by a majority of those voting thereon, and certified (together with the vote for and against) to the secretary of state as aforesaid, and a copy thereof deposited in the archives of the city, whereupon it shall become the charter of said city. Members of each of said charter conventions shall be elected at large; and they shall complete their labors within sixty days after their respective election. The charter shall make proper provision for continuing, amending or repealing the ordinances of the city.

Sec. 4. Such charter so ratified and adopted may be amended, or a charter convention called, by a proposal therefor made by the lawmaking body of such city or by the qualified electors in number not less than five per cent of the next preceding gubernatorial vote in such city, by petition filed with the council or governing authorities. The council or governing authorities shall submit the same to a vote of the qualified electors at the next general or special election not held within thirty days after such petition is filed. In submitting any such charter or charter amendments, any alternative article or section may be presented for the choice of the voters and may be voted on separately without prejudice to others. Whenever the question of a charter convention is carried by a majority of those voting thereon, a charter convention shall be called through a special election ordinance, and the same shall be constituted and held and the proposed charter submitted to a vote of the qualified electors, approved or rejected, as provided in Section 2 hereof. The city clerk of said city shall publish with his official certification, for three times, a week apart in the official paper of said city, if there be one, and if there be no official paper, then in at least one newspaper published and in general circulation in said city, the full text of any charter or charter amendment to be voted on at any general or special election.

No charter or charter amendment adopted under the provisions of this amendment shall be amended or repealed except by electoral vote. And no such charter or charter amendment shall diminish the tax rate for state purposes fixed by act of the Legislature, or interfere in any wise with the collection of state taxes.

Sec. 5. The charter of any city having a population of more than one hundred thousand inhabitants may be adopted as the home rule charter of

such city by a majority vote of the qualified electors of such city voting upon the question, and when so adopted may thereafter be changed or amended as provided in Section 4 of this article, subject to the constitution and laws of the state.

ARTICLE XII—MISCELLANEOUS CORPORATIONS

Section 1. The Legislature shall provide by general law for the organization, regulation, supervision, and general control of all corporations, and for the organization, supervision, and general control of mutual and co-operative companies and associations, and by such legislation shall insure the mutuality and co-operative features and functions thereof. Foreign corporations transacting or seeking to transact business in this state shall be subject, under general law, to regulation, supervision, and general control, and shall not be given greater rights or privileges than are given domestic corporations of a similar character. No corporations shall be created by special law, nor their charters be extended, changed or amended, except those corporations organized for charitable, educational, penal or reformatory purposes, which are to be and remain under the patronage and control of the state. All general laws passed pursuant to this section may be altered from time to time, or repealed.

Sec. 2. No such general law shall be passed by the Legislature granting the right to construct and operate a street railroad within any city, town, or incorporated village without first requiring the consent of a majority of the electors thereof.

Sec. 3. All corporations may sue and be sued in like cases as natural persons.

Sec. 4. In all cases of claims against corporations and joint stock associations, the exact amount justly due shall be first ascertained, and after the corporate property shall have been exhausted the original subscribers thereof shall be individually liable to the extent of their unpaid subscription, and the liability for the unpaid subscription shall follow the stock.

Sec. 5. The Legislature shall provide by law that in all elections for directors or managers of incorporated companies every stockholder shall have the right to vote in person or proxy for the number of shares owned by him, for as many persons as there are directors or managers to be elected or to cumulate said shares, and give one candidate as many votes as the number of directors multiplied by the number of his shares shall equal, or to distribute them upon the same principle among as many candidates as he shall think fit, and such directors or managers shall not be elected in any other manner; except that any mutual or co-operative company or association may, in its articles of incorporation, limit the number of shares of stock any stockholder may own, the transfer of said stock, and the right of each stockholder or member to one vote only in the meetings of such company or association.

Sec. 6. No corporation shall be permitted to issue stock or bonds except for an equivalent in money paid or labor done, or property actually received and applied to the purpose for which such corporation was created, and neither labor nor property shall be received in payment of stock or bonds at a greater

value than the actual value at the time said labor was done or property delivered, and all fictitious increase of stock or indebtedness shall be void; all stock shall have a face par value; and all stock in the same corporation shall be of equal par value.

Sec. 7. Every stockholder in a banking corporation or institution shall be individually responsible and liable to its creditors over and above the amount of stock by him held to an amount equal to his respective stock or shares so held, for all its liabilities accruing while he remains such stockholder, and all banking corporations shall publish quarterly statements under oath of their assets and liabilities.

ARTICLE XIII—STATE, COUNTY AND MUNICIPAL INDEBTEDNESS

Section 1. The state may, to meet casual deficits, or failures in the revenues, contract debts never to exceed in the aggregate one hundred thousand dollars, and no greater indebtedness shall be incurred except for the purpose of repelling invasion, suppressing insurrection, or defending the state in war, and provision shall be made for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue, which law providing for the payment of such interest by such tax shall be irrevocable until such debt be paid.

Sec. 2. No city, county, town, precinct, municipality, or other subdivision of the state, shall ever make donations to any railroad, or other works of internal improvement, unless a proposition so to do shall have been first submitted to the qualified electors thereof, at an election by authority of law. Provided, that such donations of a county with the donations of such subdivisions in the aggregate shall not exceed ten per cent of the assessed valuation of such county. Provided further, that any city or county may, by a two-thirds vote, increase such indebtedness five per cent in addition to such ten per cent; and no bonds or evidences of indebtedness so issued shall be valid, unless the same shall have endorsed thereon a certificate signed by the secretary and auditor of state, showing that the same is issued pursuant to law.

Sec. 3. The credit of the state shall never be given or loaned in aid of any individual, association, or corporation.

ARTICLE XIV—MILITIA

Section 1. The Legislature shall determine what person shall constitute the militia of the state, and may provide for organizing and disciplining the same.

ARTICLE XV—MISCELLANEOUS PROVISIONS

Section 1. Executive and judicial officers and members of the Legislature, before they enter upon their official duties, shall take and subscribe the following oath, or affirmation: "I do solemnly swear (or affirm) that I will support

the Constitution of the United States, and the Constitution of the State of Nebraska, and will faithfully discharge the duties of..... according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence (for any vote I may give or withhold on any bill, resolution, or appropriation).” Any such officer or member of the Legislature who shall refuse to take the oath herein prescribed, shall forfeit his office, and any person who shall be convicted of having sworn falsely to, or of violating his said oath shall forfeit his office, and thereafter be disqualified from holding any office of profit or trust in this state unless he shall have been restored to civil rights.

Sec. 2. Any person who is in default as collector and custodian of public money or property shall not be eligible to any office of trust or profit under the constitution or laws of this state; nor shall any person convicted of felony be eligible to office unless he shall have been restored to civil rights.

Sec. 3. Drunkenness shall be a cause of impeachment and removal from office.

Sec. 4. The necessity of water for domestic use and for irrigation purposes in the State of Nebraska is hereby declared to be a natural want.

Sec. 5. The use of the water of every natural stream within the State of Nebraska is hereby dedicated to the people of the state for beneficial purposes, subject to the provisions of the following section.

Sec. 6. The right to divert unappropriated waters of every natural stream for beneficial use shall never be denied except when such denial is demanded by the public interest. Priority of appropriation shall give the better right as between those using the water for the same purpose, but when the waters of any natural stream are not sufficient for the use of all those desiring to use the same, those using the water for domestic purposes shall have preference over those claiming it for any other purpose, and those using the water for agricultural purposes shall have the preference over those using the same for manufacturing purposes. Provided, no inferior right to the use of the waters of this state shall be acquired by a superior right without just compensation therefor to the inferior user.

Sec. 7. The use of the waters of the state for power purposes shall be deemed a public use and shall never be alienated, but may be leased or otherwise developed as by law prescribed.

Sec. 8. Laws may be enacted regulating the hours and conditions of employment of women and children, and securing to such employees a proper minimum wage.

Sec. 9. Laws may be enacted providing for the investigation, submission, and determination of controversies between employers and employees in any business or vocation affected with a public interest, and for the prevention of unfair business practices and unconscionable gains in any business or vocation affecting the public welfare. An Industrial Commission may be created for the

purpose of administering such laws, and appeals shall lie to the Supreme Court from the final orders and judgments of such commission.

Sec. 10. On and after May 1, 1917, the manufacture, the sale, the keeping for sale or barter, the sale or barter, under any pretext, of malt, spirituous, vinous or other intoxicating liquors, are forever prohibited in this state, except for medicinal, scientific, or mechanical or sacramental purposes.

Sec. 11. The Legislature may provide that, at the general election immediately preceding the expiration of the term of a United States Senator from this state, the electors may by ballot express their preference for some person for the office of United States Senator. The votes cast for such candidates shall be canvassed and returned in the same manner as for state officers.

Sec. 12. The seat of government of the state shall not be removed or relocated without the assent of a majority of the electors of the state voting thereupon, at a general election or elections, under such rules and regulations as to the number of elections and manner of voting and places to be voted for, as may be prescribed by law. Provided the question of removal may be submitted at such other general elections as may be provided by law.

ARTICLE XVI—AMENDMENTS

Section 1. Either branch of the Legislature may propose amendments to this constitution, and if the same be agreed to by three-fifths of the members elected to each house, such proposed amendments shall be entered on the journals, with the yeas and nays, and published once each week for four weeks, in at least one newspaper in each county where a newspaper is published, immediately preceding the next election of members of the Legislature. At such election said amendments shall be submitted to the electors for approval or rejection upon a ballot separate from that upon which the names of candidates appear. If a majority of the electors voting on any such amendment adopt the same, it shall become a part of this constitution, provided the votes cast in favor of such amendment shall not be less than thirty-five per cent of the total votes cast at such election. When two or more amendments are submitted at the same election, they shall be so submitted as to enable the electors to vote on each amendment separately.

Sec. 2. When three-fifths of the members elected to each branch of the Legislature deem it necessary to call a convention to revise, amend, or change this constitution, they shall recommend to the electors to vote at the next election of members of the Legislature, for or against a convention, and if a majority voting at said election vote for a convention, the Legislature shall, at its next session, provide by law for calling the same. The convention shall consist of as many members as the House of Representatives, who shall be chosen in the same manner, and shall meet within three months after their election, for the purpose aforesaid. No amendment or change of this constitution, agreed upon by such convention, shall take effect until the same has been submitted to the electors of the state, and adopted by a majority of those voting for and against the same.

ARTICLE XVII—SCHEDULE

Section 1. The several amendments passed and submitted by this Convention when adopted at the election shall take effect on the first day of January, 1921, except as otherwise specifically provided by schedule attached to any of said amendments. Provided that the proposed Amendment Number 18, relative to equal suffrage shall take effect, if adopted, immediately upon proclamation by the Governor. All laws then in force, not inconsistent with the constitution as amended by such proposals as may be adopted at such election, shall continue in force until amended or repealed. If any of the amendments passed and submitted by this Convention and adopted by the electors be inconsistent with any provisions of the present constitution, such amendments shall be held to prevail.

Sec. 2. That Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 21, 22, 23, 24, and 27 of Article XVI be repealed and eliminated therefrom.

Sec. 3. Until otherwise provided by law the following salaries shall be paid: Chief Justice, Judges of the Supreme Court and Governor, each \$7,500 per annum; Judges of the District Court, Secretary of State, Auditor of Public Accounts, Commissioner of Public Lands and Buildings, Treasurer, Attorney General, Superintendent of Public Instruction, and members of the State Railway Commission, each \$5,000 per annum. The Lieutenant Governor shall receive twice the compensation of a State Senator.

Sec. 4. The general election of this state shall be held on the Tuesday succeeding the first Monday of November in the year 1914 and every two years thereafter. All state, district, county, precinct and township officers, by the constitution or laws made elective by the people, except school district officers, and municipal officers in cities, villages and towns, shall be elected at a general election to be held as aforesaid. Judges of the supreme, district and county courts, all elective county and precinct officers, and all other elective officers, the time for the election of whom is not herein otherwise provided for and which are not included in the above exception, shall be elected on the Tuesday succeeding the first Monday in November, 1913, and thereafter at the general election next preceding the time of the termination of their respective term of office. Provided, that no office shall be vacated thereby, but the incumbent thereof shall hold over until his successor is duly elected and qualified.

Sec. 5. The terms of office of all state and county officers, of judges of the supreme, district and county courts, and regents of the University, shall begin on the first Thursday after the first Tuesday in January next succeeding their election, the present state and county officers, members of the Legislature, and regents of the University shall continue in office until their successors shall be elected and qualified.

Sec. 6. The Legislature shall pass all laws necessary to carry into effect the provisions of this constitution.

Sec. 7. The auditor shall draw the warrants of the state quarterly for the payment of the salaries of all officers under this constitution, whose com-

pensation is not otherwise provided for, which shall be paid out of any funds not otherwise appropriated.

Sec. 8. Until otherwise provided by law, the judges of district courts shall fix the time of holding courts in their respective districts.

Sec. 9. This constitution shall be enrolled and deposited in the office of the Secretary of State, and printed copies thereof shall be prefixed to the books containing the laws of the state, and all future editions thereof.

The Constitution of 1875 was authenticated and attested as follows:

"John Lee Webster, President; O. A. Abbott, Luke Agur, J. P. Becker, J. E. Boyd, Clinton Briggs, Jefferson H. Broady, Charles H. Brown, S. F. Burch, S. H. Calhoun, E. C. Carns, T. S. Clark, S. H. Coats, A. H. Conner, W. B. Cummins, James Harper, Robert B. Harrington, J. B. Hawley, M. L. Hayward, D. P. Henry, B. I. Hinman, M. R. Hopewell, C. E. Hunter, A. G. Kendall, S. M. Kirkpatrick, James Laird, Charles F. Manderson, A. W. Matthews, Frank Martin, Samuel Maxwell, John McPherson, W. H. Munger, J. H. Perry, C. W. Pierce, S. B. Pound, James W. Dawes, J. E. Doom, W. L. Dunlap, R. C. Eldridge, J. G. Ewan, S. R. Foss, C. H. Frady, Joseph Garber, C. H. Gere, Henry Grebe, Edwin N. Grenell, George L. Griffing, William A. Gwyer, Andrew Hallner, J. D. Hamilton, Isaac Power, Jr., M. B. Reese, W. M. Robertson, Josiah Rogers, J. H. Sauls, H. H. Shedd, Geo. S. Smith, W. H. Sterns, R. F. Stevenson, John J. Thompson, L. B. Thorne, Jacob Vallery, Sr., C. H. VanWyck, Charles T. Walther, A. M. Walling, T. L. Warrington, A. J. Weaver, M. W. Wilcox, J. F. Zediker."

The foregoing is the Constitution of the State of Nebraska of 1875 and the several amendments thereto, including the amendments proposed by the Constitutional Convention of 1919-1920, and adopted at the special election held on the 21st day of September, 1920, and the same is a true and correct compilation thereof.

Done in Convention at the Capitol, in the City of Lincoln, this 19th day of October, 1920.

Witness our hands the day and year last above written.

A. J. WEAVER, President
LYLE A. ABBOTT
I. L. ALBERT
LEWIS K. ALDER
WALTER L. ANDERSON
GEO. S. AUSTIN
JOSEPH G. BEELER
ANSON H. BIGELOW
A. T. BRATTON
WILBUR F. BRYANT
ALBERT H. BYRUM
B. F. BUTLER
HENRY R. CLEVE
CHARLES H. CORNELL

FESTUS COROTHERS
EDWARD A. COUFAL
JOHN A. DAVIES
A. J. DONOHUE
J. A. DONOHUE
H. C. ELWOOD
CHAS. H. EPPERSON
I. D. EVANS
EMIL FAUQUET
EDGAR FERNEAU
C. C. FLANSBURG
WM. GRUEBER
JACOB F. HALDERMAN
ARTHUR M. HARE

JOHN D. HASKELL
GEO. H. HASTINGS
JOHN HEASTY
JAMES H. H. HEWETT
M. J. HIGGINS
W. D. HOLBROOK
JERRY HOWARD
GEORGE JACKSON
HARRY JOHNSON
GEO. C. JUNKIN
HARRY L. KEEFE
H. G. KEENEY
WILLIAM G. KIECK
THOS. LAHNERS
GEORGE LANDGREN
HARRY LEHMAN
J. G. W. LEWIS
H. D. LUTE
GEORGE A. MAGNEY
FRANK MALICKY
R. A. MATTESON
W. A. MESERVE
N. P. McDONALD
CHARLES F. McLAUGHLIN
CHARLES McLEOD
GEO. E. NORMAN
J. N. NORTON
R. S. NORVAL
FRED A. NYE
A. R. OLESON
C. PETRUS PETERSON
WM. H. PITZER
ERNEST M. POLLARD

C. W. PUGSLEY
F. C. RADKE
I. C. RANKIN
J. D. REAM
HERBERT RHOADES
JAMES A. RODMAN
ELMER E. ROSS
CHARLES L. SAUNDERS
P. W. SCOTT
C. W. SEARS
WILLIAM A. SELLECK
SEYMOUR S. SIDNER
O. S. SPILLMAN
E. J. SPIRK
A. W. SPRICK
W. M. STEBBINS
JOHN M. STEWART
EMIL G. STOLLEY
DAVID E. STRONG
EDWARD SUGHROUE
MURT M. SULLIVAN
C. V. SVOBODA
L. J. TE POEL
CHAS. J. THIELEN
M. D. TYLER
A. L. ULLSTROM
L. A. VARNER
JOSEPH T. VOTAVA
AARON WALL
R. WIDLE
EVERETT P. WILSON
R. A. WILSON
JOHN WILTSE

APPENDIX B

STATE SENATORIAL DISTRICTS BY COUNTIES

District Number 1: Richardson, Nemaha and Johnson.
District Number 2: Otoe, Cass and Sarpy.
Districts Number 3, 4, 5, 6, and 7: Douglas.
District Number 8: Dodge and Washington.
District Number 9: Burt, Thurston, Dakota and Dixon.
District Number 10: Cedar and Knox.
District Number 11: Pierce, Wayne and Madison.
District Number 12: Stanton, Cuming and Colfax.

District Number 13: Butler and Saunders.
Districts Number 14 and 15: Lancaster.
District Number 16: Gage and Pawnee.
District Number 17: Jefferson, Thayer and Fillmore.
District Number 18: Seward and Saline.
District Number 19: Hamilton, York and Polk.
District Number 20: Merrick, Nance and Platte.
District Number 21: Boone, Wheeler, and Antelope.
District Number 22: Holt, Boyd, Keya Paha, Brown and Rock.
District Number 23: Blaine, Loup, Garfield, Valley and Custer.
District Number 24: Greeley, Howard and Hall.
District Number 25: Sherman, Buffalo, and Kearney.
District Number 26: Adams and Clay.
District Number 27: Franklin, Webster and Nuckolls.
District Number 28: Harlan, Furnas, Gosper and Phelps.
District Number 29: Red Willow, Frontier, Hayes, Hitchcock, Dundy, Chase, and Perkins.
District Number 30: Lincoln and Dawson.
District Number 31: Logan, Thomas, Hooker, McPherson, Keith, Arthur, Grant, Garden, Deuel, Cheyenne, and Kimball.
District Number 32: Cherry, Sheridan, Box Butte, Dawes and Sioux.
District Number 33: Scotts Bluff, Banner and Morrill.

APPENDIX C

STATE REPRESENTATIVE DISTRICTS BY COUNTIES

District Number 1: Richardson.
District Number 2: Pawnee.
District Number 3: Johnson.
District Number 4: Nemaha.
District Number 5: Otoe.
District Number 6: Cass.
District Number 7: Sarpy.
Districts Number 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20: Douglas.
District Number 21: Washington.
District Number 22: Burt.
District Number 23: Thurston.
District Number 24: Dakota.
District Number 25: Dixon.
District Number 26: Cuming.
Districts Number 27, 28: Dodge.
Districts Number 29, 30: Saunders.
Districts Number 31, 32, 33, 34, 35, 36: Lancaster.
Districts Number 37, 38: Gage.
District Number 39: Jefferson.
District Number 40: Saline.

District Number 41: Seward.
District Number 42: Butler.
District Number 43: Colfax.
District Number 44: Stanton.
District Number 45: Wayne.
District Number 46: Cedar.
District Number 47: Knox.
District Number 48: Pierce.
Districts Number 49, 50: Madison.
District Number 51: Platte.
District Number 52: Polk.
District Number 53: York.
District Number 54: Fillmore.
District Number 55: Thayer.
District Number 56: Nuckolls.
District Number 57: Clay.
District Number 58: Hamilton.
District Number 59: Merrick.
District Number 60: Nance.
District Number 61: Boone.
District Number 62: Antelope.
District Number 63: Boyd.
District Number 64: Holt.
District Number 65: Greeley and Wheeler.
District Number 66: Howard.
Districts Number 67, 68: Hall.
Districts Number 69, 70: Adams.
District Number 71: Webster.
District Number 72: Franklin.
District Number 73: Kearney.
Districts Number 74, 75: Buffalo.
District Number 76: Sherman.
District Number 77: Valley and Garfield.
District Number 78: Brown, Keya Paha and Rock.
Districts Number 79, 80: Custer.
District Number 81: Dawson.
District Number 82: Phelps.
District Number 83: Harlan.
District Number 84: Furnas.
District Number 85: Red Willow.
District Number 86: Frontier and Gosper.
District Number 87: Hitchcock and Dundy.
District Number 88: Perkins, Chase and Hayes.
Districts Number 89, 90: Lincoln.
District Number 91: Loup, Grant, Hooker, Thomas, Blaine, Logan, McPherson and Arthur.

District Number 92: Cherry.
District Number 93: Sheridan.
District Number 94: Garden, Deuel and Keith.
District Number 95: Kimball and Cheyenne.
District Number 96: Banner and Morrill.
Districts Number 97, 98: Scotts Bluff
District Number 99: Dawes.
District Number 100: Sioux and Box Butte.

APPENDIX D

STATE JUDICIAL DISTRICTS BY COUNTIES

District Number 1: Johnson, Pawnee, Nemaha and Richardson.
District Number 2: Sarpy, Cass and Otoe.
District Number 3: Lancaster.
District Number 4: Burt, Washington and Douglas.
District Number 5: Hamilton, Polk, York, Butler, Seward and Saunders.
District Number 6: Boone, Nance, Merrick, Platte, Colfax and Dodge.
District Number 7: Fillmore, Saline, Thayer and Nuckolls.
District Number 8: Thurston, Dakota, Dixon and Cedar.
District Number 9: Knox, Antelope, Cuming, Pierce, Madison, Stanton and Wayne.
District Number 10: Phelps, Kearney, Adams, Harlan, Franklin, Webster and Clay.
District Number 11: Hall, Howard, Greeley, Valley, Wheeler, Garfield, Loup, Grant, Hooker, Thomas and Blaine.
District Number 12: Custer, Sherman, Logan and Buffalo.
District Number 13: McPherson, Lincoln, Deuel, Cheyenne, Kimball, Dawson and Keith.
District Number 14: Chase, Hayes, Frontier, Gosper, Furnas, Red Willow, Hitchcock, Perkins, and Dundy.
District Number 15: Brown, Keya Paha, Boyd, Rock, and Holt.
District Number 16: Cherry, Sheridan, Dawes, Box Butte and Sioux.
District Number 17: Garden, Morrill, Scotts Bluff, Arthur and Banner.
District Number 18: Jefferson and Gage.
District number four has nine judges; number three has four judges; number five, six, nine, ten and eleven each has two judges; each of the other districts has one judge.

APPENDIX E

UNITED STATES REPRESENTATIVE DISTRICTS BY COUNTIES

First District: Cass, Johnson, Lancaster, Nemaha, Otoe, Pawnee and Richardson (seven counties). Population 173,458.

Second District: Douglas, Sarpy and Washington (three counties). Population 226,074.

Third District: Antelope, Boone, Burt, Cedar, Colfax, Cuming, Dakota, Dixon, Dodge, Knox, Madison, Merrick, Nance, Pierce, Platte, Stanton, Thurston and Wayne (eighteen counties). Population 244,367.

Fourth District: Butler, Fillmore, Gage, Hamilton, Jefferson, Polk, Saline, Saunders, Seward, Thayer and York (eleven counties). Population 182,181.

Fifth District: Adams, Chase, Clay, Dundy, Franklin, Frontier, Furnas, Gosper, Hall, Harlan, Hayes, Hitchcock, Kearney, Nucholls, Perkins, Phelps, Red Willow and Webster (eighteen counties). Population 182,202.

Sixth District: Arthur, Banner, Blaine, Box Butte, Boyd, Brown, Buffalo, Cherry, Cheyenne, Custer, Dawes, Dawson, Deuel, Garden, Garfield, Grant, Greeley, Holt, Hooker, Howard, Keith, Keya Paha, Kimball, Lincoln, Logan, Loup, McPherson, Morrill, Rock, Scotts Bluff, Sheridan, Sherman, Sioux, Thomas, Valley, and Wheeler (thirty-six counties). Population 288,090.

APPENDIX F

POPULATION OF COUNTIES AND COUNTY SEATS

<i>County</i>	<i>Pop., 1920</i>	<i>County Seat</i>
Adams.....	22,621	Hastings
Antelope.....	15,243	Neligh
Arthur.....	1,412	Arthur
Banner.....	1,435	Harrisburg
Blaine.....	1,778	Brewster
Boone.....	14,146	Albion
Box Butte.....	8,407	Alliance
Boyd.....	8,243	Butte
Brown.....	6,749	Ainsworth
Buffalo.....	23,787	Kearney
Burt.....	12,559	Tekamah
Butler.....	14,606	David City
Cass.....	18,029	Plattsmouth
Cedar.....	16,225	Hartington
Chase.....	4,939	Imperial
Cherry.....	11,753	Valentine
Cheyenne.....	8,405	Sidney
Clay.....	14,486	Clay Center
Colfax.....	11,624	Schuyler
Cuming.....	13,769	West Point
Custer.....	26,407	Broken Bow
Dakota.....	7,694	Dakota City
Dawes.....	10,160	Chadron
Dawson.....	16,004	Lexington
Deuel.....	3,282	Chappell
Dixon.....	11,815	Ponca
Dodge.....	23,197	Fremont

<i>County</i>	<i>Pop., 1920</i>	<i>County Seat</i>
Douglas.....	204,523	Omaha
Dundy.....	4,869	Benkelman
Fillmore.....	13,671	Geneva
Franklin.....	10,067	Franklin
Frontier.....	8,540	Stockville
Furnas.....	11,657	Beaver City
Gage.....	29,721	Beatrice
Garden.....	4,572	Oshkosh
Garfield.....	3,496	Burwell
Gosper.....	4,669	Elwood
Grant.....	1,486	Hyannis
Greeley.....	8,685	Greeley
Hall.....	23,720	Grand Island
Hamilton.....	13,237	Aurora
Harlan.....	9,220	Alma
Hayes.....	3,327	Hayes Center
Hitchcock.....	6,045	Trenton
Holt.....	17,151	O'Neill
Hooker.....	1,378	Mullen
Howard.....	10,739	St. Paul
Jefferson.....	16,140	Fairbury
Johnson.....	8,940	Tecumseh
Kearney.....	8,583	Minden
Keith.....	5,294	Ogallala
Keya Paha.....	3,594	Springview
Kimball.....	4,498	Kimball
Knox.....	18,894	Center
Lancaster.....	85,902	Lincoln
Lincoln.....	23,420	North Platte
Logan.....	1,596	Gandy
Loup.....	1,946	Taylor
McPherson.....	1,692	Tryon
Madison.....	22,511	Madison
Merrick.....	10,763	Central City
Morrill.....	9,151	Bridgeport
Nance.....	8,712	Fullerton
Nemaha.....	12,547	Auburn
Nuckolls.....	13,236	Nelson
Otoe.....	19,494	Nebraska City
Pawnee.....	9,578	Pawnee City
Perkins.....	3,967	Grant
Phelps.....	9,900	Holdrege
Pierce.....	10,681	Pierce
Platte.....	19,464	Columbus
Polk.....	10,714	Osceola

<i>County</i>	<i>Pop., 1920</i>	<i>County Seat</i>
Red Willow	11,434	McCook
Richardson	18,968	Falls City
Rock	3,703	Bassett
Saline	16,514	Wilbur
Sarpy	9,370	Papillion
Saunders	20,589	Wahoo
Scotts Bluff	20,710	Gering
Seward	15,867	Seward
Sheridan	9,625	Rushville
Sherman	8,877	Loup City
Sioux	4,528	Harrison
Stanton	7,756	Stanton
Thayer	13,976	Herbon
Thomas	1,773	Thedford
Thurston	9,589	Pender
Valley	9,823	Ord
Washington	12,180	Blair
Wayne	9,725	Wayne
Webster	10,922	Red Cloud
Wheeler	2,531	Bartlett
York	17,146	York
NEBRASKA	1,296,372	LINCOLN (Capital.)

APPENDIX G

CITIES IN NEBRASKA HAVING POPULATION IN EXCESS OF 5000

(United States Census of 1920)

<i>City</i>	<i>Population</i>
Beatrice	9,664
Columbus	5,410
Fairbury	5,454
Fremont	9,605
Grand Island	13,947
Hastings	11,647
Kearney	7,702
Lincoln	54,948
Nebraska City	6,279
Norfolk	8,634
North Platte	10,466
Omaha	191,601
Scotts Bluff	6,912
York	5,388

APPENDIX H

LEGAL HOLIDAYS IN NEBRASKA

1. The first day of January, known as New Year's Day.
2. The twelfth day of February, known as Lincoln's Birthday.
3. The twenty-second day of February, known as Washington's Birthday.
4. The twenty-second day of April, known as "Arbor Day."
5. The thirtieth day of May, known as Decoration or Memorial Day.
6. The fourth day of July, known as Independence Day.
7. The first Monday of September, known as Labor Day.
8. The twelfth day of October, known as "Columbus Day."
9. The eleventh day of November, known as "Armistice Day."
10. The twenty-fifth day of December, known as Christmas Day.
11. Any day appointed by the Governor or the President as Thanksgiving Day.
12. If any of the above mentioned days come on Sunday, the following day is the holiday.

APPENDIX I

GOVERNORS OF NEBRASKA

Name	Term
1. *David Butler.....	1867-1873
2. Robert W. Furnas.....	1873-1875
3. Silas Garber.....	1875-1879
4. Albinus Nance.....	1879-1883
5. James W. Dawes.....	1883-1887
6. John M. Thayer.....	1887-1891
7. James E. Boyd.....	1891-1893
8. Lorenzo Crounse.....	1893-1895
9. Silas Holcomb.....	1895-1899
10. William A. Poynter.....	1899-1901
11. †Charles H. Dietrich.....	1901-
12. Ezra P. Savage.....	1901-1903
13. John H. Mickey.....	1903-1907
14. George L. Sheldon.....	1907-1909
15. Ashton C. Shallenberger.....	1909-1911
16. Chester H. Aldrich.....	1911-1913
17. John H. Morehead.....	1913-1917
18. Keith Neville.....	1917-1919
19. Samuel R. McKelvie.....	1919-

*Governor Butler was impeached in 1871 and W. H. James, secretary, took his place and remained in office until Robert Furnas was inaugurated.

†Governor Dietrich served only four months. He was elected United States senator by the legislature and resigned as governor.

APPENDIX J

COUNTIES IN NEBRASKA HAVING SUPERVISORS AND THE
TOWNSHIP SYSTEM

Adams	Hall
Antelope	Harlan
Boyd	Holt
Buffalo	Kearney
Burt	Knox
Butler	Merrick
Clay	Nance
Cuming	Phelps
Custer	Platte
Dixon	Seward
Dodge	Sherman
Fillmore	Valley
Franklin	York (Twenty Supervisors)
Gage	

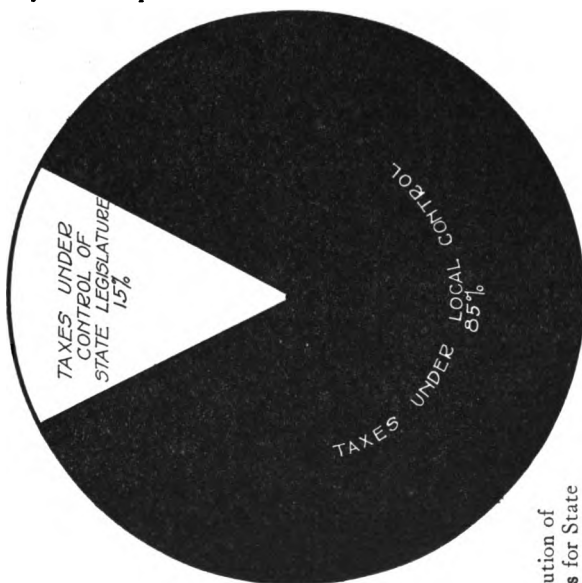
The other sixty-six counties have commissioners.

APPENDIX K

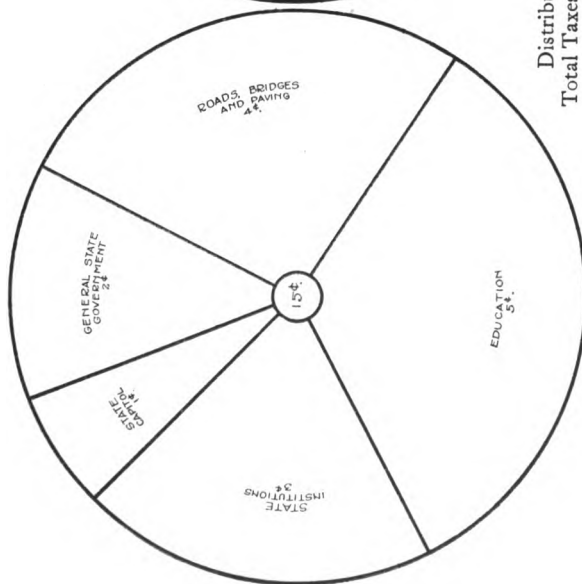
THE DISTRIBUTION OF THE 1920 TAX

The charts and figures given are taken from a publication of Philip F. Bross, secretary of the Department of Finance.

Distribution of 1920 Taxes in Nebraska



How the State Spent the 15c of the 1920 Tax Dollar



Distribution of Total Taxes for State

STATE	DISTRIBUTION	AMOUNT	PER-CENT	PER CIP.		0	5.00	10.00	15.00	20.00	25.00	30.00	35.00	40.00	45.00	50.00	55.00	60.00	65.00
Nebraska	State	\$7,850,460	15	\$ 4.12															
	County	11,013,668	21	6.60															
	County	2,430,567	5	1.27															
	City & Vill.	\$ 371,553	1	0.19															
	Total	\$2,375,919	100	40.40															

**DEPARTMENTS MAINTAINED BY THE GENERAL
STATE GOVERNMENT TAX**

The two cents out of each tax dollar for 1920 which went to the general State government, together with the departmental cash receipts, maintained and supported:

THE JUDICIARY

Supreme Court
State Library
District Courts

THE LEGISLATURE**THE CONSTITUTIONAL CONVENTION****THE GOVERNOR'S OFFICE****THE SECRETARY OF STATE'S OFFICE****THE AUDITOR'S OFFICE****THE TREASURER'S OFFICE****THE ATTORNEY GENERAL'S OFFICE****THE SUPERINTENDENT OF PUBLIC INSTRUCTION'S OFFICE****THE LAND COMMISSIONER'S OFFICE****THE DEPARTMENT OF AGRICULTURE**

Bureau of Food, Drugs and Oil
Bureau of Markets
Bureau of Animal Industry
Bureau of Game and Fish

THE DEPARTMENT OF FINANCE

Division of Accounts and Budgets
Division of Purchase and Supplies

THE DEPARTMENT OF LABOR

Division of Compensation and Investigation
Division of Free Employment

THE DEPARTMENT OF PUBLIC WELFARE

Bureau of Health
Bureau of Social Service
Bureau of Child Welfare
Bureau of Examining Boards

THE DEPARTMENT OF PUBLIC WORKS

Bureau of Irrigation, Water Power and Drainage

THE DEPARTMENT OF TRADE AND COMMERCE

Bureau of Banking
Bureau of Insurance
Bureau of Securities
Division of Fire Prevention

THE MILITARY DEPARTMENT

The Adjutant General
The National Guard

BUREAU OF LAW ENFORCEMENT

RAILWAY COMMISSION

PUBLIC LIBRARY COMMISSION

STATE AID TO THE GRAND ARMY OF THE REPUBLIC

STATE AID TO THE STATE BOARD OF AGRICULTURE

STATE AID TO THE HISTORICAL SOCIETY

STATE AID TO THE BOARD OF HORTICULTURE

STATE AID TO OTHER AGRICULTURE SOCIETIES

APPENDIX L

(COMPILED BY DEPARTMENT OF FINANCE)

SUMMARY OF APPROPRIATIONS FOR THE BUDGET, JULY 1st, 1921, TO JUNE 30th, 1922.																
EXPENDING AGENCIES	AMOUNT APPROPRIATED	PERCENT	0	2	4	6	8	10	12	14	16	18	20	22	24	26
Legislative Departments,	8,000.00	.008														
Advisory Departments,	791,520.00	2.992														
Executive Departments,	884,875.00	3.5														
Civil Administrative Code	2,658,743.98	10.8														
Sanitary Departments,	2,613,966.12	10.														
Miscellaneous Appropriations,	2,091,904.10	8.														
Educational Institutions,	7,539,797.67	29.6														
Penal & Charitable Insts.,	4,837,580.00	17.5														
Road & Bridge Construction,	4,795,485.96	18.2														
Total for Budget, 1921-22,	\$25,791,256.33	100.														
EXPENDING AGENCIES	AMOUNT APPROPRIATED	PERCENT	0	2	4	6	8	10	12	14	16	18	20	22	24	26
Legislative Departments,	8,000.00	.008														
Supreme Court & Library,	210,250.00	.988														
Marshall Courts,	547,000.00	2.														
Governor,	97,480.00	.15														
Secretary of State,	47,990.00	.19														
State Auditor,	84,400.00	.35														
State Treasurer,	96,000.00	.15														
Attorney General,	125,500.00	.5														
Dept. Public Instruction,	648,805.00	2.16														
Com. Public Lands & Water,	36,400.00	.14														
Dept. of Agriculture,	844,100.00	3.4														
Dept. of Finance,	94,500.00	.4														
Dept. of Labor,	51,865.00	.2														
Dept. of Public Welfare,	178,464.00	.6														
Dept. of Public Works,	3,077,456.48	12.3														
Dept. of Trade & Commerce,	320,865.00	1.3														
Tax Commissioner,	41,080.00	.16														
Law Enforcement,	90,000.00	.3														
Military Department,	153,540.00	.5														
Railway Commission,	159,700.00	.5														
Re. Em. Lands & Funds,	95,000.00	.4														
Capital Commission,	1,707,255.12	6.9														
Vocational Education,	261,780.00	1.04														
University of Nebraska,	6,064,954.24	23.5														
New State Normal Schools,	1,488,772.55	6.														
Penal & Charitable Inst's.,	4,837,580.00	17.5														
Miscellaneous,	2,136,416.10	9.														
Road & Bridge Construction,	4,795,485.96	18.2														
Total for Budget, 1921-22,	\$25,791,256.33	100.														

*A special session of the Legislature was called by the Governor in January, 1922. This session reduced the appropriations \$2,051,755.85.

**This book is under no circumstances to be
taken from the Building**

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